

## LEGISLATIVE COUNCIL

Tuesday, 10 December 2019

The **PRESIDENT (Hon. A.L. McLachlan)** took the chair at 10:00 and read prayers.

**The PRESIDENT:** We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to the land and community. We pay our respects to them and their cultures, and to the elders both past and present.

*Parliamentary Procedure*

### SITTINGS AND BUSINESS

**The Hon. R.I. LUCAS (Treasurer) (10:01):** I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

### *Bills*

#### **GENETICALLY MODIFIED CROPS MANAGEMENT (DESIGNATED AREA) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 3 December 2019.)

**The Hon. M.C. PARNELL (10:02):** The Greens' position on this issue is well known and I have made three contributions on this topic in recent weeks, so rather than repeat myself in relation to those previous contributions, I will confine my remarks today mostly to the task of myth busting and putting some truths and facts into this debate. That will still take some time.

During the latest push to have our genetically modified crops moratorium lifted, pro-GM advocates have made many claims, some that are true but many that are not. I will address these claims one by one. There are 15 in total.

The first claim is that segregation of genetically modified crops in the field is possible and contamination is not an issue. The truth is that segregation of GM and non-GM crops has failed in Western Australia and elsewhere. Considerable evidence was presented to that effect to a Western Australian parliamentary inquiry. I refer members to report No. 49 of the West Australian Standing Committee on Environment and Public Affairs, entitled 'Inquiry into mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material'.

The West Australian parliamentary inquiry acknowledged that the controversial and long-running Marsh v Baxter legal case had a chilling effect on farmers claiming compensation for economic loss resulting from contamination. As one witness pointed out:

There are serious difficulties with causation because if you have multiple sources of GM contamination, proving causation is incredibly difficult. The onus of showing that is going to fall on the GM farmer who does not have the resources that the industry has and litigation itself has an enormous chilling effect on farmers who would much rather be farming than going through costly and difficult litigation with a very well-resourced industry.

Due to the failure of segregation and the high cost of GM contamination of canola, the response has been to redefine the grain grade of non-GM so that contamination of 0.9 per cent of GM material is permitted before it loses its non-GM classification and therefore its price premium, which I will talk more about later. The average is \$30 to \$35 a tonne and can get to \$100 a tonne in Western Australia.

Minister Whetstone's chief of staff has confirmed that this standard of 0.9 per cent GM contamination is the national and international standard; however, the point to make here is that it would not be necessary if segregation was more successful. We have heard of farmers having to

secure clean GM-free canola to shandy with their own contaminated crops to get them below the 0.9 per cent contamination threshold.

In July 2019, two GM wheat varieties were discovered in a fallow field in Washington State in the USA. Neither of these varieties had ever been commercialised, but they had been evaluated in field trials in the Pacific Northwest between 1998 and 2005. In June 2018, the Canadian Food Inspection Agency reported a contamination incident in Alberta, where unapproved GM wheat was discovered.

The GM variety that was discovered had been cultivated by Monsanto in open-air field trials 15 to 20 years prior, with the nearest test plot site being over 300 kilometres away. This discovery resulted in their Japanese and Korean markets suspending their imports of Canadian wheat. So some contamination is inevitable, and the problems are real. It is long-lasting and it costs growers money.

The second claim is that there is no price premium for non-GM crops. The truth is that in places where both GM canola and non-GM canola are grown (in other words, if other variables are excluded) there is a price premium for non-GM crops. According to the state government's own data, provided in evidence to the select committee by the Chief Executive of PIRSA, Scott Ashby, non-GM canola achieves an average \$30 to \$35 per tonne more than GM canola in those states that allow both GM and non-GM canola to be grown.

GM advocates, on the other hand, prefer to compare South Australia's non-GM canola prices with interstate GM canola prices; however, that does not compare like with like. It does not factor in transport costs or, most importantly, the oil content of the seeds. The oil content of canola is generally lower in South Australia, so it is no surprise that, as this crop is effectively an oil seed crop, this will impact on the price that is paid. Even retired Professor Anderson's inquiry on behalf of the government found there to be a price premium. He said:

...Australia has had access to non-GM hybrid varieties that were developed partly because of the moratoria in this country. Since some of those hybrid varieties fit a no-till farming system, they have reduced the current net economic and environmental benefits of switching to a GM canola variety, as compared with the net benefits that existed back in the mid-1990s in Canada. As well, prices have been slightly lower for GM than non-GM canola varieties, yields currently are not much above the best of non-GM varieties, the technology access fee for GM seed is considered by some farmers to be high, and growers are wary of too much dependence on Roundup...

In addition to the technology access fee, the farmers of GM canola must also pay a royalty to the patent owner and are not allowed to collect the seed but instead must purchase more seed to plant for the next GM canola crop in the following year.

The third claim is that the moratorium provides no economic advantage to South Australia. Again, retired Professor Anderson's report did not even attempt to quantify the economic benefits of retaining the moratorium to keep South Australia's GM-free status. He was happy to evaluate what he saw as costs, but not the benefits. Instead, he lumped them all as 'unquantifiable'. The professor said:

One of the unquantifiable benefits of retaining the current moratorium is that it preserves the option of South Australia maintaining its GM-free status. Another is that it continues to benefit those who value that status for philosophical, ethical or spiritual reasons. Thirdly, it continues to benefit producers whose brand is enhanced by their buyers recognizing that South Australia is a GM-free zone.

In other words, all the things that might be regarded as advantages or benefits of keeping the moratorium, the good professor just said, 'Oh, well, they are unquantifiable,' and so he did not even try to count them.

This is a completely unsatisfactory response, particularly when the legislative basis for the moratorium—marketing benefits—are effectively ignored. It is this type of approach to economics that has caused many of the greatest market distortions in history. For example, in the area of climate change or pollution, the notion of externalities or costs that are borne by everyone but not by any particular legal entity has resulted in ecological collapse in many areas. It is flawed economic thinking.

The fourth claim is that the South Australia moratorium curtails research in South Australia. The truth is that research has been conducted in South Australia throughout the period of the

moratorium. Genetically modified field trials approved as exemptions by the minister have been conducted through the period of the moratorium. In fact, there are currently 10 approved field crop trials in South Australia, half of which were in place prior to the Marshall Liberal government coming to office.

In the last day, the minister's office has confirmed that three new gazetted exemptions were granted in May and two more in July. These trials are being conducted by both government and private bodies and they have been accommodated within the commercial moratorium. The moratorium is not preventing research. I have a list of those trials, and they involve canola, cotton, some more canola, barley, cottonseed, wheat, barley, cotton, canola again, and Indian mustard. These are all trials that have been approved within the rules of the moratorium.

The closure of the Australian Centre for Plant Functional Genomics at Waite is often held up as a victim of the moratorium. During debate on the GM crops moratorium regulation disallowance motion last month, minister Ridgway implied as much when he said:

It is interesting that the Centre for Plant Functional Genomics at Waite has closed. I could not believe that after the work that has gone into that. The researchers there have now left because of the former Labor government's policy.

The truth is that the Australian Centre for Plant Functional Genomics Proprietary Limited is an Australian proprietary company that was set up in late 2002. The ACPFG was first funded through grants totalling \$27 million from the Australian Research Council, the Grains Research and Development Corporation and the South Australian government, plus \$30 million from the University of Adelaide, the University of Melbourne and the Victorian Department of Primary Industries, and the University of Queensland. It was given a second round of funding, to which the University of South Australia also contributed. I am informed that the third and last round of funding it received was from BASF, a multinational chemical company.

Although, according to the ASIC website, the ACPFG is still registered, the centre closed in 2017 when its funding ran out. I am told that it had not achieved the results that it had hoped to achieve, which is not unusual in this field of research, and that as a result of not achieving results it was not able to attract further private investment to enable it to continue. This centre operated in South Australia for 15 years, 13 of those during the period of the moratorium. The claims of the government members that the ACPFG closed due to the moratorium, like a lot of their other claims in this debate, are just plain wrong.

The fifth claim is that the science of genetically modified crops is settled. The truth is that much of the science on genetically modified crops and genetically modified food is hotly contested. It is not just one science but many. I do not doubt that scientists have the ability to genetically modify plants. Of course they can, which is why we are having this debate. No-one is doubting that science. But, similarly, we can accept the science behind the cloning of Dolly the sheep; we can accept nuclear science, which shows that we can undertake the process of nuclear fission; we can create heat, we can turn it into electricity; but accepting some of the science and accepting that it is a good idea are two very different things.

I accept nuclear science, but I think it is a very bad idea for South Australia to go down that path. I accept genetic science, but that does not mean we should embrace it in South Australia, because our decisions, in this place especially, must be based on a range of considerations, including social, economic and environmental, and in those spaces there is much difference of opinion. So saying that you believe in the laws of physics or the fact that the earth is round, or if you believe the science of climate change therefore you must support commercial GM crops in South Australia, is dishonest and ludicrous. Even within the various relevant fields of science there are vastly diverging opinions in the scientific literature.

One useful exercise for members to undertake is to follow the money and to look carefully at claims made by scientists employed or funded by the multinational chemical and biotechnology corporations. There is a wealth of scientific evidence and opinion out there from other scientists who are not funded by vested interests, and they need to be included in the debate as well.

The sixth claim is that genetically modified crops reduce chemical use and greenhouse emissions, in particular due to their enabling of no-till farming. The truth is that the development of

no-till farming has been an important innovation that will reduce the impact of agriculture on climate change; however, those innovations are not the exclusive domain of GM crops. In fact, these traits were developed through conventional agricultural breeding, as even retired Professor Anderson conceded in his report to the government.

The primary attribute of the only GM crop being considered for South Australia—Roundup Ready GM canola—is that it is herbicide tolerant, specifically to the herbicide glyphosate. The costs and benefits of glyphosate are hotly contested, and many jurisdictions are ending their love affair with this chemical. I will come back to that later.

The seventh claim is that farmers want to grow GM crops. The truth is that most farmers do not want to grow GM crops. Most farmers will not grow GM crops, even if they are given the opportunity to do so. We know from those other states that have lifted the moratorium that GM crops are not popular and are not being taken up. Even those farmers who do try it usually abandon GM crops within a short period. Grain Producers SA represents 5,800 South Australian grain growers, but their 2016 petition to the previous minister for agriculture, Leon Bignell, calling for the lifting of the moratorium, had only 221 signatures. I received an email, on 4 December this year, from two South Australian farmers, which said:

We are farmers who live on the SA/Vic border and last year watched the GM prices closely, never once did they come close to the conventional GM prices, always at least \$30-\$50 less.

This year I noticed there aren't any prices so I rang Graincorp and was told the demand is so low for GM canola they don't have any sites in Vic with segregations for GM! GM canola has sat in their site for 2 years unable to find buyers! The segregation costs are so high and the demand so low they aren't accepting any GM at their sites in Victoria this year.

Why do we want this if Victoria who have been growing it for years aren't growing it by choice!!

Please keep our marketing edge in SA and help keep us GM free!!

There are some fairly serious claims made there, so I asked my staff if they could contact GrainCorp, which is Australia's largest bulk grain handler. My staff did so, on 5 December, to check whether what the farmer had said to us was correct. My staff were able to confirm, over the phone with Luke Thrum, a senior manager of investor relations and corporate affairs, that the claim was basically true. GrainCorp do not offer segregation for GM canola in Victoria because of the lack of demand from farmers. He also said that they only have one site in New South Wales that offers GM canola segregation. So, across both New South Wales and Victoria, GrainCorp is only offering one segregation receival site.

If you look at the GrainCorp website, there are 43 receiving sites in Victoria, plus two ports. In New South Wales, they have 91 sites, so out of 134 sites across those two states, there is only one site that offers segregation for genetically modified canola. AWB GrainFlow is another bulk handler, which has seven sites in New South Wales and Victoria that accept canola. Only one of those accepts GM canola.

So, after 12 years of allowing GM canola in those states, there is so little interest in growing it that there are only two sites that accept it. In Western Australia, I am informed, there are only two sites that accept and segregate GM canola. This begs the question: why is the government pushing this so hard? If canola is only 2 per cent of total grain production in South Australia, and if only a tiny proportion of farmers are likely to grow GM canola, why would we risk the reputation and markets of the overwhelming majority of farmers?

To paraphrase Winston Churchill's famous speech about the RAF after the Battle of Britain, never was so much risk imposed on so many by so few for so little. A number of other farmers have written to me in recent days. I do not propose to go through all of those. I thank those farmers who have written to me. I will refer to some of the observations that were made by one farmer a little later on in this contribution. What the farmers are saying to me is countering what other farmers have said through their peak bodies to the government, and that is that they do not want the moratorium lifted. They do not want to grow GM crops; they do not see any benefits in it.

I will go on to the eighth claim now. This is a claim that genetically modified crops tackle drought and climate change. The Minister for Primary Industries, Mr Tim Whetstone, in his media

release dated 5 November this year headed, 'State government willing to back GM select committee recommendations', said:

South Australian farmers should have the same choices to use new and improved crop varieties to tackle drought and climate change as farmers enjoy in our neighbouring states.

The truth is that there are no GM crops available that tackle drought and climate change. The only GM crops that are approved and commercially available in Australia are, first of all, cotton, where the trait is insect resistance and herbicide tolerance; canola, which we are mainly talking about here, where the modified trait is herbicide tolerance; and safflower, which is in relation to its acid composition—and that is, I should say, approved overwhelmingly for the industrial oil market, not for human consumption. The only other two GM crops are carnations and roses, both of which have genetically modified colour.

I would like to know where these new and improved crop varieties are that will tackle drought and climate change that farmers are supposedly enjoying in neighbouring states. Where are these crops? There are four GM crop plants currently approved for limited and controlled release, which means they are approved for field trials. Only two of those are being trialled for drought tolerance, those being chickpeas and wheat.

Listed on the website of the Office of the Gene Technology Regulator are another 16 crop plant varieties that have been surrendered or withdrawn, indicating that they failed at the field trial stage. This is an extremely low success rate for genetically modified drought tolerant crop plants. Extremely low success rate might be understating it. Zero success rate is probably a better response.

Until a plant gets through field trials and is approved to be commercially available, it is an experimental crop only and it is not able to be planted in farmers' fields. It would be foolish to end a moratorium on the promise of GM drought tolerant crops that are not yet available and that, given the failure rate, may never be available.

Let's imagine now for a minute that against all the odds drought tolerant GM wheat does pass field trials and is approved for commercial release. What might happen if that was allowed to be grown in South Australia alongside our non-GM wheat? What will happen is that it will immediately come under a trade embargo. Although varieties of GM wheat have been available for years, it has never been commercially grown anywhere in the world, and any escapes of GM wheat varieties from old trial sites overseas need to be quickly eradicated.

I referred before to a recent example, from a few months back, in July this year, when two GM wheat varieties were discovered in a fallow field in Washington state in the US. Neither of these varieties had ever been commercialised, but they had been evaluated in field trials in the Pacific Northwest between 1998 and 2005. So, 14 years after the trials ended, they are still causing contamination. Once this was discovered, the Animal and Plant Health Inspection Service of the United States Department of Agriculture immediately set about destroying the entire unplanted field just to ensure that all the plants were destroyed.

The US have now had to develop new testing kits for their trading partners in South Korea and Japan so that they can test for these varieties in addition to the other GM varieties that they test for. Why have they done that? The reason is: no markets want GM wheat. That is because wheat is eaten by people on a daily basis—it is in bread, cakes, pasta—and it is labelled in many countries. When Canadian farmers asked their markets whether they would accept GM wheat from Canada, they found that the international customers who buy 82 per cent of Canada's wheat crop said that they will stop buying it if Canada introduces GM wheat.

These customers have been clear: they will stop buying all wheat from us, GM and non-GM alike. This market loss issue applies to all GM wheat, not just RR wheat. That is a report by the National Farmers Union to the House of Commons Standing Committee on Agriculture and Agri-Food in Saskatoon, Saskatchewan, Canada, 2003. It is worth noting that, at the time of the report, Canadian farmers grew GM canola in significant amounts, but they recognised the importance of listening to their customers—in other words, the market—and they did not want to risk losing the non-GM market by allowing GM wheat to be grown in their country.

Just last year, the Canadian Food Inspection Agency released information about a contamination incident in Alberta. I referred to that briefly before. That was where unapproved GM wheat was discovered. The GM variety that was discovered had been cultivated by Monsanto in open-air trials 15 to 20 years previously, with the nearest test plot site being over 300 kilometres from where the contamination incident was discovered. The Canadian National Farmers Union issued a media release in response to this in June 2008, entitled 'GM wheat contamination incident a reminder of need for better regulation'. In the release, they said:

This incident is a reminder of the serious risk to market access and potential devastation of farmers' incomes that have been put in motion by the CFIA (Canadian Food Inspection Agency) when it allowed field-testing of genetically engineered crops. Back in 2004, the National Farmers Union called for an end to secret, open-air field tests of genetically engineered crops in Canada. Since 2000, the [National Farmers Union] has maintained that companies that are promoting genetically engineered crops such as Monsanto (now Bayer) must be held responsible for losses incurred by farmers as a result of contamination incidents.

As an aside, the Greens wholeheartedly agree with this. We introduced a right to damages bill—we have done that four times in this chamber since 2007—that would have done exactly that: ensure that the patent owner of the GM crop that caused contamination is responsible for losses incurred by farmers. If we go back to the Canadian National Farmers Union and the GM wheat contamination incident last year, five days after that previous media release I referred to, they issued another one stating:

The recent discovery in southern Alberta of genetically modified wheat plants with Monsanto's glyphosate resistance trait has renewed concern about the risk of GMO contamination to Canada's wheat. Japan and Korea have suspended imports of Canadian wheat pending their own investigation of the situation.

The National Farmers Union (NFU) has called for the elimination of open-air testing of genetically modified crops since 2001. The potential impact on farmers' livelihoods and the Canadian economy that would occur if contamination resulted in permanently closed markets is an unacceptable risk.

Canada is much further down the GM road than Australia, so the concern expressed by their farmers union of the risk to export markets from GM contamination comes from a couple of decades of experience and is something that South Australia should heed.

The wheat industry in Australia is worth \$7.1 billion per year as a five-year average, and the value of wheat exported from Australia is about \$5 billion per year. If the GM wheat that is being trialled in Australia passes its field trials, if it becomes approved for commercial release and is introduced into Australia, it would risk important markets in an industry that, as I have said, is worth \$5 billion a year on an export basis alone. The Greens, along with many others, know that this is not worth the risk.

The ninth claim is that solutions to climate change and drought lie in GM technology. The truth is that, if we refer to a 2014 publication entitled, 'GMO Myths and Truths: An evidence-based examination of the claims made for the safety and efficacy of genetically modified crops and foods,' a publication by Dr John Fagan PhD, Michael Antoniou PhD and Claire Robinson MPhil, they say:

Climate change is often used as a reason to claim that we need GM crops. But the evidence suggests that the solutions to climate change do not lie in GM. This is because tolerance to extreme weather conditions such as drought and flooding—and resistance to the pests and diseases that often accompany them—are complex traits. That means they are the product of many genes working together in ways we do not yet fully understand. Such complex genetic traits cannot be delivered through GM.

Where a GM crop is claimed to possess complex traits, they have generally been achieved through conventional breeding, not GM. After the complex trait is developed through conventional breeding, simple GM traits such as pest resistance or herbicide tolerance are added to the conventionally bred crop to represent the 'inventive step' necessary to enable the GMO developer company to patent it.

While the resulting crop is often claimed as a GM success, this is untrue. It is a success of conventional breeding with added GM traits. The GM traits do not contribute to the agronomic performance of the crop but make the crop the property of the GMO company and (in the case of herbicide tolerance) keep farmers dependent on chemical inputs sold by the same company.

The 10<sup>th</sup> claim made is that the government's independent review by retired Professor Kym Anderson is independent and therefore its findings are all valid. This claim has been strongly contested by many, including Dr John Paull, an environmental scientist at the School of Land and Food at the University of Tasmania.

He submitted a review of Professor Anderson's review. Paull's work was entitled, 'A Review of the Independent Review of the South Australian GM Food Crop Moratorium and 14 Alternative Findings'. He provided that to the government during its consultation back in March this year. In his 19-page review he documented 14 findings. His first finding was as follows:

Finding 1: The independent review is not independent at all. The independent review is written by a vocal and long-term advocate of GMOs and GM-crops, and in addition it contains errors of fact from the outset (see Finding 2) and it should be disregarded in its entirety.

Dr Paull cited at least four previous publications between 2001 and 2004 by Kym Anderson, where his opinions on GM crops were evident. Because I appreciate the seriousness of a claim when you are suggesting that something is not independent, I need to put a bit more information on the record. I will just read the abstract of Dr John Paull's report from March 2019. He says:

The present review of the 'Independent Review of the South Australian GM Food Crop Moratorium' (Anderson, 2019) reveals that the so-called independent review is not independent at all and thus it falls at the first hurdle. Kym Anderson is a long term vocal advocate of genetically modified crops and has expressed such views regularly over the past two decades. The Independent Review was commissioned by the South Australian Minister for Primary Industries and Regional Development. There were 216 public submissions, of these, 78% [or 168] were for retaining the existing Moratorium, 18% [or 39 submissions] were for scrapping the Moratorium, and 4% [or 8 people] were undecided. 100% of the food available in Australian supermarkets is GM-free which mirrors the sentiments of Australian consumers, which are against GM-food; and Australian supermarkets are all aware of such sentiments. South Australia (SA) has a 'clean and green' image. This image serves SA well for food production, trade, tourism, education and migration. GMOs would damage SA's clean and green and smart image and can thereby be economically detrimental to the state. The Independent Review proposes that GM canola is the sole candidate for uptake were the GM Moratorium to be scrapped. The GM canolas (Round-up ready...) proposed for SA are herbicide-dependent crops relying on regimes of multiple toxic herbicide applications. Glyphosate is a carcinogen and triazine is banned in Europe. These are chemicals that are dangerous to the health and wellbeing of animals, including humans, and the environment, and prescribing their use can be expected to increase SA's health costs and future environmental clean-up costs. GM agriculture is an example of privatising the profits and socialising the costs. Australia is the world leader in organic agriculture and accounts for 51% of the world's certified organic hectares, and, of this, South Australia is the leading organic state in Australia accounting for 40% of Australia's certified organic hectares (and 20% of the world's certified organic hectares). Organic produce sells at a price premium—usually in the range of 10% and 110% (compared to non-organic). This contrasts with GM canola which sells at a price penalty of 7%. These price premiums and price penalties reflect market sentiment—what the market wants and what the market does not want. The GM Moratorium has a social licence and is serving SA well and should be maintained on economic and social grounds. The Independent Review should be rejected.

Claim No. 11 I have referred to before: that the majority of submissions to the Anderson independent inquiry supported lifting of the GM moratorium. As I said, there were 216 public submissions and 78 per cent were for retaining the moratorium.

The 12<sup>th</sup> claim—and again it comes out of what Dr John Paull wrote—is that there is a market for GM foods. The truth is there is no demand for genetically modified foods. In a 2017 study by international consultants and analysts GfK, which stands for Growth from Knowledge, they surveyed 23,000 consumers in 17 countries. Nearly half of the consumers reported that 'free from GMO ingredients' are very or extremely important factors when deciding which food or beverage product to eat or drink, with Chinese participants ranked at 60 per cent. Dr Paull states:

As a consequence, there are economic price penalties for GM crops and for growing what consumers do not want.

Claim 13 is that GM crops are good for the South Australian agriculture industry. The truth is that GM crops threaten the organic agriculture industry. As I said, organic agriculture in Australia is a growing sector: it is growing at 22 per cent per annum. South Australia leads the country in organic agriculture: 40 per cent of Australia's certified organic hectares is located in South Australia. This is a great agricultural and economic success story. Allowing GMOs to put organics at risk for the sake of something that global consumers do not want would be economically stupid, given that there is a price premium for organic produce and an economic penalty for GMO produce.

The 14<sup>th</sup> claim is that farmers have complete control over how they grow their GM crops. The truth is that when farmers choose to grow GM canola they enter into a contract with the patent owner which they must strictly adhere to. Under the 'Roundup Ready canola grower license and stewardship agreement' that farmers are required to sign, the farmers do not own the seed that they

purchase, they do not control how they manage their crop and they cannot save the seeds for the following year's planting.

The farmers of GM canola are told when Roundup must be sprayed. For example, one condition is that the first spray is when the plant has between two and six leaves. I do not propose to go into a full, detailed analysis of the merits or otherwise of glyphosate, but I will just remind members that glyphosate is banned in many countries. It is widely suspected to be linked to cancer and was formally declared to be a known carcinogen by the California Office of Environmental Health Hazard Assessment.

Glyphosate does not stay on the farm. It contaminates water, air, soil, plants and animals. It is ingested by adults and children via various routes, including via food and beverages. Far from being a benign miracle chemical, glyphosate has serious questions to answer. But the users (the growers) of Roundup Ready canola do not just require glyphosate, they also require the use of another herbicide, which is Spray.Seed 250, and they need to use that in between crops. I am told that most farmers do not do it because it causes nosebleeds.

What is Spray.Seed 250? Spray.Seed 250 is a non-selective contact herbicide that is used for weed control prior to sowing broadacre crops. It is produced by Syngenta. It contains diquat and paraquat, and it comes with a warning that it is toxic and can cause death. In fact, there was a tragic case, a very sad case, of a Queensland man who died in 2012 when he was filling his pressure backpack pump spray with paraquat, and the backpack unit cracked. Some chemical sprayed over him and onto his face. You only have to ingest a very small amount of it to be deadly—and he died. It has also been linked to Parkinson's disease, with Parkinson's Australia saying that there is growing evidence about its harmful effects.

Paraquat has been banned in 32 countries. It has been banned in Europe for over a decade. Last month, it was reported that Thailand is also planning to ban it, along with glyphosate, which has already been banned in Vietnam and Austria. Diquat approval in the European Union was withdrawn in July 2018, so it is now banned as well. I can understand why farmers do not want to use this product. Instead, many farmers spray the Roundup Ready formula again, which in turn impacts on the growing problem of glyphosate resistance amongst weeds. It is similar to the problem of antibiotic resistance in medicine.

The 15<sup>th</sup> claim is that the Greens' 2007 bill, which entrenched the moratorium in legislation, was rushed through parliament in the last week of the year before the election. The truth is that the Genetically Modified Crops Management Regulations (Postponement of Expiry) Bill 2017 was introduced into the Legislative Council on 18 October 2017. One month later—on 15 November 2017—it was debated and passed in this house. It was then introduced into the House of Assembly, on 16 November 2017 and listed on their *Notice Paper* for two weeks before it was debated and passed on 28 November 2017. That is a time frame of six weeks, so the claim of rushing that bill through in the last sitting week is absolute rubbish. Compared with the present bill, which we did not even see until last week, the progress of the 2017 bill was entirely within the established protocols of both chambers of this parliament.

I now put one question for the minister to respond to in the second reading. I appreciate the briefing that we had from minister Whetstone's chief of staff, but one question that was not answered satisfactorily was whether the Marshall Liberal government, including any member of the government and/or PIRSA or SARDI, had any discussions about or received any offers of funding for plant breeding research from any agrochemical companies or any related crop science organisations that they fund? That is the question. As I said before, we are keen to follow the money. I want to know whether any discussion has been held or has any offer been made?

In the answer that was provided, the question was reframed as: 'Has PIRSA/SARDI received any offer to undertake research and development of GM varieties if the GM moratorium is lifted on the South Australian mainland?' PIRSA has advised the answer is no. That was not the question I asked. I would like the minister to answer the question I did ask.

Just by way of conclusion, we heard on radio this morning the Leader of the Opposition, Mr Peter Malinauskas, talking about the bill and the Labor Party's position on it. He was speaking with Ali Clarke and David Bevan just before 9 o'clock this morning on ABC radio Adelaide. The Leader



of the Opposition was suggesting that we need more time to allow regions, other than Kangaroo Island, to consider whether they want to remain GM free.

Whilst the Greens' position is clear that we believe the moratorium should apply to the whole state, we appreciate that postponing the final decision until amendments can be drafted is the second best option. So if the bill is not defeated today at the second reading, we will support any motion to further adjourn debate until next year to enable the consultation referred to by the Leader of the Opposition to take place.

Finally, I would like to thank everyone who has written to me in relation to this issue. There are many dozens of people in recent days especially who have emailed and phoned. They have provided advice and information, all of which I think adds value to the debate that we are having. I would particularly like to thank Judy Carman, whom I have referred to before in previous debates, as well as Julie Newman, a farmer who has provided a great deal of information. I have not put all of it on the public record, but my contribution today, together with the contributions I have made previously, cover most of the issues that she raised.

I will just leave members with this final point. Once the genie is out of the bottle, you cannot put it back in. If this house decides today to support the lifting of the GM crops moratorium on mainland South Australia, it will be a decision that cannot be reversed. My point is: be very careful what you wish for.

**The Hon. F. PANGALLO (10:47):** I rise to speak on the Genetically Modified Crops Management (Designated Area) Amendment Bill 2019. This bill is designed to remove the existing moratorium until 2025 on the South Australian mainland, except for Kangaroo Island, on genetically modified crop production and the transportation of GM products, which was first introduced in 2003 and has since been reconsidered and maintained on three occasions, in 2008, 2014 and 2017.

The commonwealth allowed the production of GM canola crops in 2003. All mainland states, apart from South Australia and the ACT, have allowed their farmers to grow GM crops. Western Australia was the last to take it up, in 2009, joining Queensland, Victoria and the Northern Territory, where there are no restrictions on GM varieties approved by the Office of the Gene Technology Regulator. There is a partial restriction in New South Wales, which only allows for cotton and canola. Our island state of Tasmania has retained its moratorium, which had expired last month, because it believes it has a market advantage in retaining its GM-free status.

The intention of the moratorium in South Australia was to observe and assess the impact of GM production where it is allowed, including economic risks and access to markets and trade, as well as to analyse the effects on both organic and conventional growers and consumers of non-GM products who might harbour concerns about health and safety.

Since the first sale of genetically modified foods began in 1994, with the unsuccessful release of a delayed ripening tomato to give it a longer shelf life, opponents of this biotechnology have made claims that these types of Frankenfoods were unsafe and a health risk to consumers. Only yesterday, I received correspondence from a constituent who runs an organic business in Adelaide, telling me that GM foods have been 'not proven to be safe' and that there was plenty of research available showing this.

This is just one of the myths or misconceptions that have been propagated about genetically engineered foods by the anti-GM movement. Around 90 per cent of the world's scientists agree that GM foods pose no greater risk to human health than conventional foods. In fact, there is not one study into GMOs that has shown otherwise. Even though this has been endorsed by credible organisations in the United States, like the American Medical Association, the National Academy of Sciences, the American Association for the Advancement of Science and the World Health Organization, it seems about two-thirds of consumers are yet to be convinced.

While it is not possible to declare food is safe or that there have been any adverse health effects, none have been positively identified and it can at least be said that no hazard has been shown to exist. Despite evidence-based scientific studies—and there have been many because of the contentious nature of this biotechnology—showing that there is yet to be recorded any case of harm being caused, the doubters still proliferate along with pseudoscience believers.

There was a time when groups like Greenpeace and others disrupted GMO research around the world. More than 80 crop trials were destroyed by activists, including one in the Philippines on a product known as Golden Rice, which was designed to increase levels of betacarotene and to prevent vitamin A deficiency, a cause of blindness and even death in developing countries. This was valuable research that would have benefited so many; yet, 25 years of work was destroyed by ideological zealots and remains unavailable because of the opposition. In July 2011, Greenpeace protesters broke into an interstate experimental farm of the Commonwealth Scientific and Industrial Research Organisation (CSIRO) and destroyed the entire crop of genetically modified wheat.

As an example of fake news or information that abounds, at a meeting with some constituents last week, one handed me a clipping from a *True Natural Health* magazine based on a report by the GMOs Revealed group. The heading was, 'Now there are Frankenstein cows! Cows that produce human milk.' The article goes on to state:

That subject line might sound like science fiction, but it's not. In China, a herd of 300 dairy cows have all been altered genetically to produce human milk. Yes, human milk!

It goes on to describe the genetic engineering to cause cows to produce an enzyme called lysozyme that is contained in greater quantities in human breast milk. It questions whether this is safe because there has been no long-term research into 'genetically modified human cows'. This is alarmist poppycock not backed by science.

On 29 March 2004, in his speech on the Genetically Modified Crops Management Bill, the late member for Fisher, the Hon. Bob Such, spoke about the perils of fearmongering. He said:

We must be careful that we do not go down a path of people with red flags in front of motor cars and railway engines and the flat earth society. The reality is that with science, even though people try to restrict it at times (and I am not against having codes of practice and proper protocols), we must be careful that we do not get to a situation where significant groups in the community, often largely through...prejudice and emotion, try to restrict the advancement of science and the increase in productivity by farmers or others.

In an excellent article in *The New York Times* last year, author Jane E. Brody wrote about human nature and its resistance to accept change and the fear of the unknown. She pointed out that establishing long-term safety guidelines would require decades of prohibitively expensive studies of hundreds of thousands of GMO consumers and their non-GMO counterparts. She highlighted the number of impressive benefits that have been well established and documented, like one that found that genetically engineered corn resistant to a pest, the corn ringworm, has a significantly higher yield than non-genetically modified varieties and contains lower amounts of toxins commonly produced by fungi. Allow me to quote from this article from *The New York Times*. She wrote:

By engineering resistance to insect damage, farmers have been able to use fewer pesticides while increasing yields, which enhances safety for farmers and the environment while lowering the cost of food and increasing its availability. Yields of corn, cotton and soybeans are said to have risen by 20 percent to 30 percent through the use of genetic engineering.

Billions of edible animals are raised in this country each year on feed containing G.M.O.s, with no evidence of harm. In fact, animal health and growth efficiency actually improved on the genetically engineered feed, according to a 2014 review in the *Journal of Animal Science*.

Wider adoption of genetic engineering, especially in African and Asian countries that still spurn the technology, could greatly increase the food supply in areas where climate change will increasingly require that crops can grow in dry and salty soils and tolerate temperature extremes. I continue to be distressed by the resistance to Golden Rice, a crop genetically engineered to supply more vitamin A than spinach that could prevent irreversible blindness and more than a million deaths a year.

Nonetheless, gene modification scientists are focusing increasingly on building health benefits into widely used foods. In addition to pink pineapples containing the tomato-based antioxidant lycopene, tomatoes are being engineered to contain the antioxidant-rich purple pigment from blueberries.

And people in developing countries faced with famine and malnutrition are likely to benefit from attempts to improve the protein content of food crops, as well as the amount of vitamins and minerals they provide.

This is not to say that everything done in the name of genetic engineering has a clean bill of health. Controversy abounds over the use of genetically modified seeds that produce crops like soy, corn, canola, alfalfa, cotton and sorghum that are resistant to a widely used herbicide, glyphosate, the health effects of which are still unclear.

In the latest development, resistance to a second weed killer, 2,4-D, has been combined with glyphosate resistance. Although the combination product, called Enlist Duo, was approved in 2014 by the Environmental Protection Agency, 2,4-D has been linked to an increase in non-Hodgkin's lymphoma and a number of neurological disorders, researchers reported in the *International Journal of Environmental Research and Public Health*.

The bottom line: Consumers concerned about the growing use of G.M.O.s in the foods they depend on might consider taking a more nuanced approach than blanket opposition. Rather than wholesale rejection, take some time to learn about how genetic engineering works and the benefits it can offer now and in the future as climate change takes an ever greater toll on food supplies. Consider supporting efforts that result in safe products that represent improvements over the original and focusing opposition on those that are less desirable.

Since 1995, 23 countries now grow GM crop varieties, with the world's total crop land growing from 0 to 13 per cent. In Australia, cotton, canola, a GM blue carnation, rose flowers and GM safflower are the only GM plants grown.

In the US, GMO crops are repeatedly and extensively tested for consumer and environmental safety. These tests are reviewed in the US by the Department of Agriculture, the Environmental Protection Agency, the Food and Drug Administration and similar organisations internationally. Tests are conducted by both industry experts and independent organisations to ensure that common GMO foods are safe to eat.

In Australia, GM products are regulated by Food Standards Australia New Zealand, which sets standards for safety, content and labelling of both domestically produced and imported goods. Every GM food or ingredient is subjected to presale assessment to ensure it is safe. In fact, every major scientific body and regulatory agency in the world has reviewed the research about GMOs and openly declared crop biotechnology and the foods currently available for sale to be safe. Despite the myths, the truth about genetically modified food is that it is entirely safe for human consumption. Still, a *New York Times* poll in 2013 showed that 93 per cent of Americans wanted labelling on GM food.

GMOs have contributed to reducing the real cost of food. Dr Stuart Smyth, an assistant professor with the Department of Bioresource Policy, Business and Economics at the University of Saskatchewan, explains:

Typically, GM crops are the more efficient crops, and that means that their price and costs as ingredients are less than non-GMOs.

In terms of the cost difference between GMO versus non-GMO foods, GMOs are helping to keep prices lower.

What could happen if there were no GM crops in the world and they were banned, as Greenpeace agitated for? A study by Professor Wally Tyner and his team at Purdue University in the United States showed that if all genetically modified organisms in the US were eliminated, corn yield would decline at 11 per cent on average, soybeans would lose 5 per cent of their yield and cotton would lose 18.6 per cent. With lower crop yields without GMOs, corn prices would increase as much as 28 per cent and soybeans as much as 22 per cent.

According to the study, making up for these losses would result in an increase in crop land area or clearing of 1.1 million hectares, with one-third being forest. Applying these figures globally, there would be forest loss of just under one million hectares in a worldwide GM-free scenario. That is the equivalent to half the area of Wales. Can our challenged atmosphere afford to lose that?

University of Berkeley agriculture professor David Zilberman found it would also be replicated in overseas markets with GMs. Without genetically modified crops, Professor Zilberman also found the price of food would be 5 to 10 per cent higher than it is now, particularly for meat, poultry, eggs, milk and processed food. He said, 'The poorest people will suffer the most,' adding that the cost will be borne mostly by people in developing countries, where many of these foods are already difficult to source.

Studies overseas also showed farmers made more money with GM crops—in some cases, profits of up to 68 per cent. In Australia, there is evidence that non-GM canola receives a premium price over GM canola types available. As for export prices, when compared to Canadian GM canola, where there is no segregation of crops, Australian prices were 4 per cent higher. This is attributed to its sales to Japan of the non-GM product.

South Australia's grain prices do not attract a premium compared to interstate, despite its GM freeze. I will note here that in this bill Kangaroo Island, which has lucrative markets for its non-GM canola in Japan, remains GM exempt in order to maximise its branding, much in the same way as the non-GM island of Tasmania. Crucially—and this is a fact often overlooked by the naysayers—some GMOs are even helping save lives.

Since the 1980s, genetic engineering has been used to develop human insulin. Around five million Americans use genetically modified insulin, the demand for which would not be met without the use of GMOs. We received this email from an Eyre Peninsula farmer who wants the moratorium lifted:

My acceptance of genetically modified crops is quite personal.

My husband has been a Type 1 Diabetic for 36 years and injects Insulin 5 times per day.

For 8 or so years now, he has been prescribed an Insulin made from Genetically Modified plants/bacteria.

This new Insulin has changed our life...for the better!

When he was still injecting the animal-based [insulin], his blood glucose control was so much harder to manage. I would be forced to get up at night several times per month to bring him out of a hypo. We were doing all the food balancing properly, diet and exercise was good, but still hypos every couple of weeks.

One night I was breastfeeding our daughter and holding her in one arm while trying to give him some honey with the other arm. When he has a hypo, it's like a seizure, he doesn't remember it either and I have to manually rub honey or sugar on his gums to bring his blood sugar back to normal.

We do have a glucose injection if we need it but being that we live on a farm, 50km from any shops, doctors, ambulance and other services, we have become very adept at looking after ourselves.

With this GM based Insulin, I never have to get up to him having a Hypo anymore, he just doesn't have them. He's had 2 hypo's in 8 years and they were due to changes in some other medications. GM based Insulin has changed our life.

The technology of GM has so much potential with subjects like Insulin production. It also has great potential to reduce the amount of chemical we use on our grain crops.

The Australian cotton industry has been able to reduce their insecticide use by 90% by growing GM varieties. Their predominant insecticide was 'Endosulphan' which is now a banned chemical by the APVMA.

There is so much more to GM than saving and making money. Don't be blindsided by the conspiracy theorists. There is no conspiracy, farmers just want progress, advancements and cleaner options.

Farmers already pay royalties for our Non-GM seed; it won't be any different if we pay for GM seed.

I urge you to give SA farmers the choice of growing GM crops.

As a farmer, I'm not sure that we would even grow GM, but I want the choice, especially with some of the trials of drought tolerant wheat underway in Argentina. These might be a game changer for dryland, non-irrigated crops like ours.

Everything in our modern world has been modified, regardless of the process that facilitated it, nothing is what it once was.

Please allow us to move into the modern agricultural world. It's not scary, it's downright exciting.

Kind Regards

Karen Baines

Farmer, Ungarra Eyre Peninsula

That is a powerful, moving personal message about another advantage of GMOs that should not be ignored. Researchers are also studying the use of monoclonal antibodies produced in GMO tobacco plants as a potential drug treatment to combat Ebola. In fact, vaccines derived from GMO techniques are already preventing diseases such as hepatitis A and B, diphtheria, tetanus, pertussis and polio. Other GMO vaccines, for which non-GMO methods have been ineffective, are also under development. These include vaccines to fight cholera, malaria and other diseases.

One of the other contentious points about the introduction of GM crops is segregation and cross-contamination with non-GM canola and intrusion onto properties growing organic produce. Let's first deal with cross-contamination of GM and non-GM, which could occur in the field, transport and processing at receiving sites. The House of Assembly Select Committee on Genetically Modified

Organisms recommended the release of GM crops in South Australia be permitted only when coexistence to meet market demands for different classes of crops and products—that is, GM-free, non-GM and GM—can be guaranteed through the supply chain by stringent segregation and identity systems.

In the independent review of SA's GM moratorium, report author, Kym Anderson, said any market failure as a result of cross-contamination and subsequent losses needs to be weighed up against the net benefits of GM crops. A 2007 report on the potential impacts of GM canola production on organic farming in Australia concluded that, if GM canola was commercialised in Australia, the direct impacts on organic canola production would be negligible. It would have minimal impact on the organic livestock industry and the honey industry.

The organics market in Australia in 2017 was no more than 0.7 per cent of the value of Australia's conventional grains production and 0.3 per cent of the value of livestock fodder and feedstuffs. Organics comprise only 1 per cent of all agricultural land use globally. However, we hope to file an amendment that will give non-GM producers some legal recourse to seek compensation for any losses to their business or reputation.

The Anderson report states that a survey of growers of both GM and non-GM canola in the earliest GM seasons in New South Wales and Victoria found their worst fears relating to coexistence did not materialise, with 88 per cent of respondents saying they had not received complaints. The experience over the past decade shows GM and non-GM crops can coexist with segregation and identity preservation protocols and practice codes in place.

In a meeting with stakeholders we were assured these practices would need to be considered when selecting the first few farms to sow the Roundup Ready GM crops. There are licence and stewardship agreements, including that growers must follow best management practices, including having buffer zones, segregating seed and declaring GM loads, as required in Western Australia.

I have received emails and calls from organic producers worried that removing the moratorium will impact on their clean, green status. The proper management of organic, conventional and GM seeds is an important issue. The coexistence of multiple production methods—organic, conventional and GM—is not a new concept. Farmers have been producing different types of crops next to one another before and since GM seeds were first introduced in 1996. They work hard every day managing their farms to ensure each crop meets the appropriate marketing requirements.

Clean seeds are a concern for organic farmers before planting, as well as pollen drift from neighbouring fields during cultivation. According to one Californian farmer who grows conventional and GM seeds on his farm, organic does not equal zero presence of a GM trait. He says low-level presence of a GM trait in organic production is allowed as long as the grower has followed the organic process necessary for organic production.

There are misconceptions about cross-pollination. A plant can only pollinate a closely related plant; that is, corn with corn, but not corn with soybean. For example, if a non-browning GM Arctic apple grown in the US were to cross-pollinate with an adjoining orchard, the resulting fruit would not be affected. Many orchards, as we know, grow different types of apples, so a Fuji does not become a Gala when cross-pollination occurs. Unless a farmer has intentionally planted GM crops, cross-fertilisation or contamination by GMO has never happened to any significant degree. The only significant possibility of crossover would be the finding of GM crops in an organic farm.

The case of Marsh v Baxter in Western Australia came the closest. In late 2010, organic farmer Steve Marsh found evidence of seeds from the crop of his lifelong farmer neighbour, Michael Baxter, in his fields. Baxter was a conventional farmer who planted GMO seeds. Later, Marsh found dead canola plants blown by the wind onto his property along with eight live plants. Marsh reported the seed and plants to his local organic certification board and lost the organic certification of some 70 per cent of his 478-hectare farm. Marsh sued on the grounds that Baxter used a method of harvesting his crop that was substandard and negligent. In fact, Baxter used standard and conventional farming methods.

The Supreme Court of Western Australia ruled the organic farmer was a victim of the Australian organic industry's own self-anointed rules and cleared the conventional farmer. The judgement, which was upheld on appeal, stated that the loss of organic certification was, and I quote:

...occasioned by the erroneous application of governing NASAA Standards applicable to NASAA organic operators as regards GMOs...at the time.

In other words, Marsh's own organic standards association set unrealistic expectations of coexistence because cross-fertilisation is a fact of modern farming that long predates the introduction of GM crops.

In another lawsuit, in the US in 2012, a group of organic growers and anti-GMO groups came together to sue GM seed manufacturer Monsanto, alleging that Roundup Ready seeds and plants could be in their organic field, that they would not be able to sell their produce as organic and that they could be sued by Monsanto because of the possible use of patented GM seeds. US District Judge Naomi Buchwald dismissed the case noting that the suit was, and again I quote, the product of the plaintiff's 'transparent effort to create a controversy where none exists'.

The United States Department of Agriculture's National Organic Program (NOP) does not use the term 'contamination' in any official context. Instead, it focuses on cross-pollination or the inadvertent or non-deliberate presence of prohibited substances, including GMOs on organic farmland. The NOP notes that the mere presence of GM seeds or crops does not necessarily mean a crop will lose its organic status. Ironically, if there is any contamination going on, it is often likely to come from pest species that originated on organic crop land but spread to GMO farms that were otherwise protected from these pests.

When it comes to contamination, organic pest control methods, including pesticides, have not been effective in controlling insects, weeds and fungal pests. That point was made in the wake of the *Marsh v Baxter* ruling in which Baxter, the Western Australian GM farmer, believed he had a powerful case that his farm faced contamination and not his neighbour's organic property.

Seventy per cent of harvested GMO crops are fed to food-producing animals, yet a University of California study into genetic engineering and animal feed found that GMOs have never been detected in milk, meat or eggs derived from animals fed GM feed. GM crops increase productivity on existing agricultural land and protect biodiversity by sparing lands not intensively cultivated. Through enhanced adoption of conservation tillage practices, the reduction of insecticide use and the use of more environmentally benign herbicides that increase yields, GM agriculture has alleviated pressure to convert additional land into agricultural use. GMOs can increase productivity in agriculture.

According to PG Economics, from 1996 to 2017, GMO crops are estimated to have contributed to an additional global production of 213.47 million tonnes of soybeans, 404.91 million tonnes of corn, 27.47 million tonnes of cotton lint and 11.65 million tonnes of canola. GM crops have contributed to higher yields—up to 30 per cent more in some farming areas—and can contribute to poverty reduction and food security in developing countries. GMOs can reduce soil erosion. Herbicide-tolerant crops enable more farmers to adopt conservation tillage, because they help farmers to more effectively and efficiently control weeds at lower costs.

We all recognise that we are in a climate crisis and that Australia is currently in the throes of the severest drought in living memory. Why should our farmers not be able to access biotechnology that improves their productivity and viability?

GMOs can also help conserve water. Farmers utilise many tools to conserve water, including drip irrigation systems. GMOs provide another tool that farmers can employ to help conserve water. HT crops, along with conservation tillage, aid in soil moisture retention, which can reduce the need to irrigate. GMOs can help reduce water use in another way through drought tolerance. This GM trait can help crops cope with stress and allow farmers to increase yields when periods of drought occur without supplemental water from irrigation. These benefits have been confirmed by the International Service for the Acquisition of Agri-biotech Applications.

SA-Best has consulted and engaged extensively on this issue. We have spoken to farmers. They do not want to be left behind with this technological revolution in testing times, when agriculture in this country is being severely challenged by climate change. We have spoken to our world-

renowned researchers at Adelaide University's Waite Institute, whose acclaimed work is being hamstrung by these restrictions. They are losing millions of dollars in research grants each year to researchers in other states.

We have spoken to the staunch opponents of GM, including some who also have impeccable academic credentials, who firmly believe there are enormous economic and ethical benefits in remaining GM free. We have received invaluable counsel from agronomist Sam Davies, who was our hardworking candidate in the seat of Narungga. I know that my colleague the Hon. Connie Bonaros has been torn on the issue and can see the pros as well as the cons.

My good friend and colleague in the other place Leon Bignell, the outstanding member for Mawson, is also extremely passionate about this and strongly feels South Australia will lose a huge advantage by lifting the moratorium. He puts up very convincing arguments. The same cannot be said for his leader, opposition leader Peter Malinauskas. We all woke this morning to the news that Mr Malinauskas wants to work with the government over summer to come up with a bipartisan plan. His proposal allows councils to opt in to keep their existing GM-free status if their communities want it. This is nothing more than a stalling tactic. The opposition has had ample time to come to a collective position on this crucial issue. It has not been able to, as has been well documented, so this is just a delay tactic. Also, it is just simply ludicrous and could not possibly work.

To best sum up this heated debate, I want to finish with the words of award-winning journalist, author and academic Mark Lynas, who in the beginning of the GM maelstrom in the 1990s was one of the most notorious anti-GM activists. He deliberately destroyed experimental GM crops across Europe and at one point came close to stealing the genetically cloned sheep Dolly. Mr Lynus had a Damascene experience in 2013 and recanted his beliefs and criminal actions. He has since toured developing countries in Africa and Asia, working with plant scientists who are helping farmers make full use of this breakthrough pioneering technology to improve their lives and livelihoods.

In his book, *Seeds of Science: Why we got it wrong on GMOs*, Lynus gives due deference to the GMO proponents, the vegans, the environmentalists, farmers, scientists and anyone working to save our damaged planet for future generations. In his closing remarks, Lynus eloquently writes:

Let's use science as the wonderful tool that it is, but let's also respect people's feelings and moral intuitions about the proper extent of human intrusion into the biosphere. Maybe now we can finally join forces to ensure that scientific innovations, in agriculture as much as anything else, are critically assessed and deployed in a way that helps the environment and improves the livelihoods of people in poorer countries too.

Above all, let us not repeat the mistakes of the past. We have already wasted 20 years fighting over a mere seed-breeding technique that—used sensibly and in the public interest—can certainly help global efforts to fight poverty and make agriculture more sustainable. Let's not waste 20 more.

When SA-Best supported the disallowance on the regulations lifting the moratorium, we were justifiably concerned that this matter was of such public importance that it needed to be properly debated in parliament. We asked the minister to introduce a bill to parliament that would give our farmers who want this technology greater certainty and security, as well as protecting the interests of Kangaroo Island's non-GM farmers.

I have already flagged that we have important amendments. As I indicated, my colleague the Hon. Connie Bonaros quite rightly pointed out that current legislation fails to protect non-GM producers in the event of contamination resulting in economic loss or loss of their GM status or reputation. This amendment will enable them to exercise their legal rights, which were seemingly expunged in the existing legislation. We will also be calling for a parliamentary review in three years. SA-Best supports and commends the bill to the Legislative Council.

**The Hon. J.A. DARLEY (11:27):** As everyone knows, I have recently spoken on two occasions about GM crops in South Australia, and I do not intend to repeat those comments today. However, I do want to place on the record that I will be supporting the second reading of the bill.

**The Hon. T.J. STEPHENS (11:28):** I rise to speak on the Genetically Modified Crops Management (Designated Area) Amendment Bill. This state has a long and proud history of agriculture. Agriculture has always played a vital role in South Australia, contributing to our economy through trade and employment, as well as being the heartbeat of our regional communities.

Often, agriculture is what sustains our regional communities, and over the past year we have seen several examples of the passion that exists in our regions. Agriculture is important not only to our regions but to all of South Australia. As a state, we can be proud of the reputation of agricultural research and development by South Australian institutions; for example, the Waite Research Institute has a reputation for agricultural research that is recognised far beyond Australian shores.

As consumers and citizens of South Australia, we are all affected by the outcomes of the GM moratorium. As members know, the GM moratorium has been in place since 2004. Within the years that have since passed, the outcomes inflicted by the GM ban are now blatantly clear. The argument about the significant premiums that many thought non-GM canola would fetch has now been debunked. Instead of premium prices, the moratorium has disadvantaged farmers, costing them and, ultimately, the state.

The disadvantages have been outlined by Kym Anderson, a University of Adelaide agriculture economist, who has stated that the moratorium had cost farmers more than \$33 million from 2004 to 2018. This tally will only accumulate if the moratorium continues beyond this year. To highlight how South Australia is missing out, the minister for agriculture and primary production outlined the monetary differences between states in the grain market:

In Western Australia, they returned a \$60 premium over South Australia; in New South Wales, a \$30 premium; and in Victoria a \$10 premium.

Price differences between the states are not a coincidence but, rather, a consequence of the moratorium and South Australia's farmers' inability to utilise GM technology. To echo the topics canvassed by the minister, our farming industry should not be constrained by the ideology of a few but, rather, should have the freedom to choose to utilise tried and tested GM technology. There are many benefits of lifting the GM moratorium on the paddock as well as out of the paddock. On the land, our farmers' efforts are being restricted by the GM moratorium. They are unable to utilise the best available technology and are ultimately financially penalised.

As it currently stands, canola is a predominant GM crop. In the 15 years of South Australia's moratorium, we have seen the benefits that other states have enjoyed by growing GM canola. The benefits these states have enjoyed over South Australia are not mere instinct but, rather, evidence-based. If the science was in dispute, South Australia's 15-year exclusion has shown that those GM farms across the border are able to increase their efficiencies as well as improve the outcome. Farmers of GM crops enjoy increased yields, decreased reliance on pesticides and ultimately reduced fuel consumption. These are practically better for the farmer but also better for the environment. I believe that many in this chamber support such outcomes.

Voting for a legislative change to the GM moratorium today will highlight our state's willingness to understand our need to be adaptive. Often, people are willing to raise issues that our farmers are facing on the land but not as willing to assist by pushing for practical solutions. GM is a practical solution to some issues that farmers face. Lifting the moratorium will produce benefits beyond the paddock.

As I mentioned prior, South Australia is home to world-class agriculture research institutions. Unfortunately, they too are currently restricted by the GM moratorium, damaging the state's reputation in the industry. Millions of dollars of industry investment have been diverted interstate and overseas. The Waite Research Institute and other like research institutions are inevitably overlooked when work is undertaken due to the moratorium, such as work testing GM crops to ensure that they perform optimally in Australia's often challenging, growing climate. Restriction not only affects an institution's ability to deliver beneficial outcomes for farmers but also limits their ability to retain scientists and teach agronomy students, who are the future scientists in the field. The GM moratorium only prevents economic activity, employment and beneficial research.

There has been some discussion about the process the government has taken. The GM moratorium has been in place for 15 years and has been the centre of much debate recently. In this calendar year, an independent report was conducted, a select committee undertaken and consultation carried out. All the appropriate precursors to this legislative change were undertaken by the minister and the government and, despite the criticism, the regulation was an appropriate mechanism to lift the moratorium.



Despite the disallowance motion and the actions of the government to canvass whether the community wants it, the moratorium still exists. It is clear what the bill before us seeks to do. To ignore the time sensitivity of this debate and throw aside such an issue of state importance due to process would be to deny our farmers GM crops for another year. The Liberal government has followed an extensive process of review of the GM moratorium. Our farmers deserve the freedom to utilise GM if they see fit. I commend the minister for acting quickly to give our farmers hope that they will not miss out on another season. To borrow the words of my colleague the member for Newland, a scientist in his own right:

The farmers want it, the scientists want it and the evidence, both scientific and economic, backs it, and now as a parliament we need to do our job and get on with this, get out of the way and give our farmers the choice.

**The Hon. C.M. SCRIVEN (11:34):** I do not think it is an understatement to say that the issue of the GM moratorium in South Australia is vexed. In order to understand both sides of the argument, Labor has met with primary producers and their peak bodies that want to see the moratorium lifted. We have also met with concerned South Australians who want our state to remain GM-free. There are valid arguments on both sides. Due to the far-reaching consequences of lifting the moratorium, South Australian Labor, the opposition, wants to ensure that the parliamentary process to achieve an outcome is completely thorough.

Sadly, this is not the case, with the Minister for Primary Industries, Tim Whetstone, first seeking to effectively overturn the Genetically Modified Crops Management Act of 2004 through regulation, without going through parliament to amend the act. Under the act, the moratorium is in place until 2025. The regulations would have overturned the objective of the act. It was naive of the Marshall government to attempt to make such significant changes through a change in mere regulation. Even though the government submitted a bill to the lower house last week, it did so with absolutely no notice and in a manner that trashed parliamentary convention. The legislation was rushed in last week, with the House of Assembly seeing the bill for the first time on the very day that it was introduced, and it was then forced to a vote.

In his contribution a few minutes ago, the Hon. Frank Pangallo rightly referred to the fact that the reason SA-Best voted against the regulatory change was that they wanted to see the issue properly debated in parliament. Labor also wants to see the issue properly debated in parliament. Rushing a bill through, introducing it on the very day that some of the members in the other place have first seen it, is not enabling proper debate in the parliament. Labor wants the parliamentary process to be respected, especially on an important issue such as this. Labor also wants to see the right thing done by the whole of the state. Labor wants to see respect for the needs of all the separate communities in South Australia.

Labor is conscious of the fact that the canola planting season begins early next year. We are also fully aware of the field trials that are being conducted on wheat and barley with the goal of enabling greater drought-resistant and frost-resistant crops, in addition to other potentially worthwhile GM attributes for wheat, barley and other crops. However, rushing ahead to lift the ban everywhere, except Kangaroo Island, is a very, very blunt approach. Labor wants to achieve the right outcome that allows broadacre farmers, particularly those who want to access GM canola technology, to get what they want but, at the same time, not do that at the expense of communities in South Australia who benefit from their GM-free status.

Labor is not disputing the science behind GM, but we do understand that there are growers, food manufacturers and others who believe that they gain a market advantage from being GM free. Labor believes that the right way to proceed is to work collaboratively over the summer break with the government, the crossbench and stakeholders to develop a mechanism that is bipartisan, or indeed multipartisan.

The Hon. Frank Pangallo also referred to participants in the GM debate needing 'a more nuanced approach'. That is exactly what the Labor opposition would like to see, and discussions over the summer break could indeed achieve that more nuanced approach. There may be a number of mechanisms that could be explored. One suggestion has been an opt-in alternative, based on particular regions: councils could potentially opt in to keep their existing GM-free status. However, that is just one option that could be explored; there may be others. There may be others that would enable the nuanced and collaborative approach, but this rush through the parliament is not enabling

the opportunity for those other options to be explored. It was just last week that the minister in the other place said:

Not every farmer wants to be a GM farmer, not every farmer wants to be a non-GM farmer, but it's giving our primary sector the ability to [get] out there and be more competitive.

However, this bill is a blunt instrument that creates a win-lose situation. The Labor opposition would like to see a sensible, cooperative mechanism that will enable farmers to receive the benefits of GM crops and also protect those who are paid a premium for being GM free. This bill does not enable that and, therefore, Labor cannot support this bill today.

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (11:39):** I will do this as quickly as I can and not go over old ground. I thank the Hon. Mark Parnell, the Hon. Frank Pangallo, the Hon. Clare Scriven, the Hon. John Darley and the Hon. Terry Stephens for their contributions.

I might just address quickly in the summing-up maybe not all of the 15 points the Hon. Mark Parnell raised but some of them. The issue of segregation and the whole issue around some of the opportunities that may or may not exist is interesting. I think it always comes back to the fundamental for me: it is about choice. It is about choice that farmers want to be able to make.

We look at the issue around the South Australian-Victorian border. I think a lot of people here are misguided. The Western Australian border, the Northern Territory border and a vast amount of our eastern border is desert and pastoral country where there is no cropping, but certainly there is a very active interface from, you could say, the Riverland, the River Murray, down to Mount Gambier, but probably Pinnaroo and through some parts right the way down to the border. It is an interesting discussion around segregation and when you can or cannot do it, whether GrainCorp is providing sites or not. Again, I always come back to the fact that the issue is about choice.

The honourable member, in his second point, talked about the price difference. Again, it is about choice. Farmers will not grow something they cannot make money out of. I am always amazed that the proponents opposite who talk about being opposed to GM say you can get more money for your non-GM. You probably can, but it is a choice about management tools and about management of weeds that are resistant to selected herbicides, so again I come back to that fundamental principle, that for me as a former farmer it is about choice.

The honourable member talked about how the Anderson review did not find—and his words were somewhat inaccurate—economic advantage. I would say that if we get this massive economic advantage of being GM free, why is it only Kangaroo Island that has a premium? All of South Australia should be receiving that premium, but clearly it is not.

The Hon. Leon Bignell has often said, 'We get so much more for our food and wine and all our other good products because we are GM free.' You do not get any more for prime lamb grown in Victoria than you do for prime lamb grown in South Australia. I think a litre of milk or a kilogram of butterfat is about the same price. There is always a little bit of a freight differential. For premium cheese, wine and all the other produce, there is no difference. It is a fallacy to say that we have this premium for being clean and green.

The honourable member also mentioned that the Centre for Plant Functional Genomics did not receive funding and had shut. I think that was because of the South Australian government, a policy that the former government had of not supporting GM, and the fact that the culture here was that the government of the day did not support research. Of course, in the end the funding was withdrawn.

It is interesting that it resided in the seat of Waite and the member for Waite, the Hon. Martin Hamilton-Smith, I think was the minister who opened it in 2002 and then was a minister in the government that closed it. That is an interesting phenomenon around the Centre for Plant Functional Genomics. It is about private investment, and of course if you have a government that is not interested in supporting that technology, private investment will go elsewhere.

The honourable member talked about multinational companies and farmers being beholden to them. Again, he has not been a farmer. Farmers will make decisions based on economics. Nobody

holds a gun to a farmer's head. Nobody forces them to grow these crops. I come back to that fundamental about giving South Australian farmers choice.

He talked about no-till farming, and certainly no-till farming has revolutionised agriculture. It has been mostly on the back of glyphosate, and Roundup has been a particularly important part of it. My colleague in the other place, Peter Treloar, says he thinks glyphosate is the best invention since the invention of the horse. I suspect what we would see—

**The Hon. I.K. Hunter:** Who invented the horse?

**The Hon. D.W. RIDGWAY:** I beg your pardon—the best invention since the tractor. I do beg your pardon. I have an anecdote about horses and tractors, but I will not get distracted in this debate. I meant the tractor; I do apologise to the chamber.

It is interesting, I hear around the world that there are some concerns about glyphosate. That is why we need to be backing the scientists and the researchers. I am yet to be convinced that it is as dangerous as people say. If it is proven then that is where science will take us, to another generation of chemicals and another generation of research that will keep the productivity and feed the billions of people this world will have over the next 50 to 100 years.

The honourable member talked a little bit about drought and frost. Given the Hon. John Dawkins and I are the only two in this chamber—and the Hon. Frank Pangallo said his dad was a market gardener, but he probably would not have had too much drought in the market garden with water close by. Drought and frost are devastating; probably frost more so than drought. In drought, if it is a poor season they do not sow a crop in some areas, they say, 'Well, you miss out on income. You aren't faced with having to invest in having to plant the crop.' Certainly, frost is one of the most insidious and gut-wrenching things.

When you have grown a beautiful crop and you get a dry spell in the flowering period of the wheat crop, canola crop, peas or any of the crops, and a frost comes in, usually through the dry period, with clear skies, you have already invested hundreds of dollars per hectare to grow that crop. I know there is a little bit of research being done on it, but to me that technological advance could be a massive economic benefit to South Australia and, in fact, global cropping, but we are talking about South Australia in particular.

I think it is a bit short-sighted to say we do not have any drought or frost-tolerant work being done now. We should never ever stop looking to provide our farmers with an opportunity to jump around and avoid the damage from frost or even heat stress. In the sort of world we are in, we often have—and I saw it when I was farming and you see it now—really hot weather in September and October. You lose yield potential because plants have been under stress, and then you get some rain and cool weather, and if you had been able to maintain that yield potential then you would have had another big economic benefit. So I think you should never ever turn your back on research.

Even though the honourable member said there has been zero success, I think that is just a bit of a cop-out. I know he is a big believer in climate change and extra climate variability. We should always be looking at opportunities, and lifting the moratorium will mean that we can have our world-class researchers. The Waite Research Institute used to be one of the very top research institutes in the world for dryland farming. It has slipped somewhat in the last few years; I suspect because of this GM moratorium.

There are a couple of other points I will make. The honourable member talked about having 40 per cent of the nation's organic farmland. We probably do, but I know there is a large area outside the dog fence that is organic pastoral country, so there are no crops grown out there. Good on the farmers, the pastoralists, for trying to grow organic beef. They have a market. I think it is in northern, north-eastern South Australia, Queensland—quite a large area—but it is not an active cropping area. I am not convinced that we have 40 per cent of the organic crop-growing country. I stand to be corrected, but I suspect those figures are somewhat, on a national basis, skewed because of the large area of organic production in our pastoral areas.

I come back again to one of the comments the honourable member made about having to enter into a contract with the seed producers and how onerous it is. Again, it is about choice. Farming today is a very modern and sophisticated business. It is not people with a bit of straw in their mouth

and stuck behind their ear. These people, young men and women, are very sophisticated business people who invest millions of dollars in their land and millions of dollars, potentially, in their properties and their plant and equipment.

Every year, they make judgements about what they are going to invest in and grow, and then plant their crops. I think it is somewhat belittling to say to the farming community that they will be beholden to a seed merchant or a producer, that they cannot keep the seed. They would do that because they would make a choice, a proper choice, about running their business being almost unfettered by government.

The honourable member talked about spraying Roundup on the canola between the two and six leaves, and then he went on and spoke a little bit about Spray.Seed and how it had been banned overseas in a number of countries. He talked about somebody using Spray.Seed, I think, or paraquat in a knapsack. We actually have something called, I think, ChemCert. About the time I was coming here and leaving farming you actually had to do a course—I do not recall the exact name of it—to get accreditation to be able to buy the chemicals, annual accreditation to be able to use them.

I come back to the fact that there would not be a farmer in South Australia who would put a knapsack on their back and go and spray paraquat or Spray.Seed. That is insane. The farming community are well-trained and sophisticated businesspeople who run their businesses very well, often on a very tight margin. When the honourable member talked about Spray.Seed causing nosebleeds, it does if you do not use the stuff properly, but it is important to remember that we actually have a very high quality farming community and they do not play games with chemicals such as Spray.Seed.

The honourable member talked about how his bill in 2017 was not rushed, that it was on the *Notice Paper* for a number of weeks. I did ask him, in the debate on the regulations, how much consultation he undertook on that bill. It was somewhat unexpected that he managed to get the numbers to have it passed in this chamber, so I suspect it was an opportune time. I know that the Hon. John Darley supported the bill and then, on the basis of a select committee that has taken place—and I thank the Hon. John Darley for his comments—he looked at the evidence and is now happy to support the lifting of the moratorium.

It is interesting that the honourable member talked about how it sat on the *Notice Paper* for a few weeks: I did not see any consultation at all. In this debate around GM crops here and the lifting of the moratorium, my colleague the Hon. Tim Whetstone instigated the Anderson review, we have had a long debate through a period of time, he went through the proper process when it comes to the regulations and he got Crown law advice that everything he had done was consistent. So I think is a bit disingenuous to say it has been rushed at the last minute.

Members in this chamber said, 'Bring back a bill.' We know it is important. It is timely to get the bill through the parliament so that if the moratorium is to be lifted next year farmers will have a choice. I keep coming back to having a choice. They do not have to grow it. Nobody is going to force them to grow it: it will give them choice. That is something we should all focus on—it is about choice. Why on earth would we want to burden our farmers by not having the choice? If we look at some of the comments—which I will come to shortly—around some of the proposals from the Labor Party, I just cannot comprehend why we would burden them with extra regulations.

I would like to quickly touch on the Hon. Frank Pangallo's comments. We talk about GM crops, and I did have the figures here. I think there are about 90.7 million hectares of GM soybeans grown in the world, and I know that the last time I checked about 800,000 tonnes of soy meal comes into South Australia each year. That goes into stockfeed for pigs and chickens, probably ducks and maybe even pellets for fish, so we are actually benefiting from that protein that comes in from soy meal.

I think there are about 53.6 million hectares of genetically modified corn growing, and the Hon. Frank Pangallo said that as of 2016 it was 13 per cent. I thought my records here said 12 per cent, but there was 185.1 million hectares of GM crops grown in the world. In the debate some years ago I did see there was a figure regarding how many trillion meals had been eaten, and not one person has become ill because of those trillions of meals.

I will touch quickly on the insulin story the Hon. Frank Pangallo gave us of the Baines family from Ungarra on Eyre Peninsula. That is another area: the pharmaceutical space, medical cannabis and all the research that we should embrace. This morning, the Premier launched a pharmaceutical and biotech fund that will be based in Adelaide, and this is exactly the sort of thing that fund should focus on.

I will just quickly turn my comments to the opposition. It is interesting that they have been silent and did not even speak here during the disallowance of the regulations. I then read it myself at midnight in the paper that we were going to have this opt in. It is just crazy. It is unworkable. I come back to choice and for farmers to be able to choose what they want to do.

As a hypothetical, let's just assume that you have the city council of Mount Gambler, then the District Council of Grant that covers it or goes around it, and then you have Wattle Range Council. If you say that the District Council of Grant wants to grow GM canola but Wattle Range says no, and if the same rules and regulations were in place, they are landlocked and they will have to go into Victoria to drive around it and go back out again. That is just a crazy solution. I agree entirely with the Hon. Frank Pangallo that it is designed to be just a time wasting or, if you like, delaying tactic.

For me and for the government's position, it is about giving farmers the choice to make informed decisions about what they would like to grow on their properties. Nobody is going to force them to do it, nobody will be beholden to any of these big multinational companies that members opposite think. The extra regulatory burden of local government that the opposition is proposing is just crazy.

I urge all members to support this bill and give our farmers the same choices that interstate farmers have. Even if in some states they are not growing as much as they have in other years, as the Hon. Mark Parnell said, they still have the choice. I think that is the fundamental thing, certainly from the Marshall Liberal government's point of view: we want to give farmers the choice to be able to make decisions for themselves. I was a farmer 12 years ago, John Dawkins a few years before that, the Hon. Frank Pangallo's dad was a market gardener and the Hon. Emily Bourke has farming connections on Yorke Peninsula, and I think her family are still farming, but at the end of the day there are very few of us who can say that we are actively involved in it.

We always talk about industry consultation, and that is something that the Marshall government is proud of. We talk to industry in a whole range of areas and we support what the industry wants, and I urge all members of the chamber today to support the lifting of the GM moratorium.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The CHAIR:** Does any honourable member have a contribution on clause 1? The Hon. Mr Parnell.

**The Hon. M.C. PARNELL:** If there is a question to be answered, I will sit down.

**The CHAIR:** The Hon. Mr Parnell has the call.

**The Hon. M.C. PARNELL:** I will defer my call.

**The CHAIR:** You have the call; if you want to give up the call, fine.

**The Hon. M.C. PARNELL:** No, thank you. I was on my feet first, so I appreciate that that was the correct call, but if the minister has an answer to the question I posed in my second reading contribution I would like to hear it, otherwise I will restate it.

**The Hon. D.W. RIDGWAY:** Mr Chairman, the question as received from the honourable member was: has the Marshall Liberal government, including any member of the government and/or PIRSA or SARDI, had any discussions about or received any offers of funding for plant breeding research from any agrochemical companies or any related crop science organisations that they fund?

The answer is that I am advised that PIRSA and SARDI have had inquiries about plant breeding, including GM plant breeding; however, these inquiries have occurred before and since the consideration of relaxing the GM moratorium. Conventional plant breeding is an existing area of activity for PIRSA and SARDI.

**The Hon. M.C. PARNELL:** I thank the honourable member for his answer. It does not satisfy me entirely. Whilst those discussions might not have been in the context of this legislation, the attitude of the Liberal Party has been long known. It would not have been a surprise to those who were conducting those discussions and negotiations that this bill before us now, or some other method the government chose, would be on the agenda.

The reason I think this is an important question is that, when we look at the Western Australian situation, they dropped their moratorium 10 years ago. The then new minister for agriculture, Terry Redman, ignored advice that he got from a cross-industry report on GM canola and instead accepted Monsanto's funding for research in his state. In August 2010, as soon as the moratorium had been lifted, Monsanto paid \$10½ million to acquire a nearly 20 per cent share of Intergrain. They increased that spend by \$4½ million in June 2013. Not that long later, Monsanto sold out altogether, basically leaving the whole research operation in the hands of the Western Australian government and the GRDC.

The reasoning behind the question was that if these discussions are underway between the South Australian government and the well-resourced research arms of the big agrochemical companies, then the warning that I think we should take from the Western Australian experience is that the love might not last. Whilst they might make all sorts of promises about pouring money into research in South Australia, experience interstate shows that that does not necessarily last. I do not require the minister to add any extra to his answer. I am just making the point that often the carrots that are dangled do not last; they wither and turn out to be illusory.

**The Hon. C.M. SCRIVEN:** Very briefly, I want to refer to the comments of the Hon. Mr Ridgway where he talked about a proposal from the opposition as being unworkable and involving extraregulatory burdens. The point that has been missed is that there is an opportunity to have a nuanced discussion and a nuanced solution. The opposition would like to be able to work with the government over the summer break and work with the crossbenchers to develop a mechanism that will both allow farmers who want the benefits of GM crops to receive it, and protect those who receive a premium for being GM free. Trying to achieve that could be worked out over the break to ensure a solution that is workable and does not create extraregulatory burdens.

**The Hon. D.W. RIDGWAY:** I think the Hon. Tung Ngo came with me two or three years ago to look at the South Australian-Victorian border where you have growers on one side growing GM canola. The distance between the two crops would be a bit further apart than I am from the Hon. Clare Scriven—about the width of this chamber between the two crops.

As I said in my second reading summing-up, our farmers on all sides of the borders are sophisticated businesspeople. They will make judgements about growing these crops, they will also make judgements about having to manage the crops, and there is no issue with it. The border fence in some places is not particularly robust anymore, and the opportunity exists for one farmer on one side of the fence to grow a crop that is GM and on the other side of the fence to have a crop that is non-GM, and to still have the non-GM status. The government believes that what the opposition is proposing is just a delaying tactic and we certainly do not support it.

Clause passed.

Progress reported; committee to sit again.

## **STATUTES AMENDMENT (LEGALISATION OF SAME SEX MARRIAGE CONSEQUENTIAL AMENDMENTS) BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 3 December 2019.)

**The Hon. I.K. HUNTER (12:05):** I rise today to speak briefly to the Statutes Amendment (Legalisation of Same Sex Marriage Consequential Amendments) Bill and indicate that I am the lead speaker for the opposition on the bill. I suppose I should declare an interest, in that having been married in Spain to my husband on 19 December 2012, I may have an interest in this legislation passing.

**The Hon. M.C. Parnell:** In common with many others.

**The Hon. I.K. HUNTER:** In common with many others in the state, of course. It is not a special interest, I am sure. Labor will be very pleased to be supporting this bill. I am advised it is a non-controversial and largely technical bill. It replaces gendered language in 19 acts with gender-neutral language. No-one, I believe, should have any significant concerns around things like changing the words 'husband' or 'wife' to 'spouse'. The changes contained within this bill are required following the federal government legalising same-sex marriage, I am advised.

The public debate around same-sex marriage was at times uplifting and at other times pretty vile and disgusting. The toxicity of the debate at the time was compounded by the postal survey that never really needed to happen. But, ultimately in the end, love won. Millions of advocates gave hope to those the law discriminated against because of whom they loved, and record numbers of people enrolled to vote so they could support the long overdue change of law. The debate saw many 'Yes' advocates find a public voice for the first time, and those voices were empowered by the millions who stood with them.

People of course deserve equal rights to marry those they love regardless of gender or how they identify and, because equality has triumphed in that postal vote and subsequent federal legislation, same-sex couples across Australia now can. So it comes to us as a state to modernise our legislation to ensure there are no inconsistencies that might occur with our outdated language around marriage in our legislation.

Mr President, it is worth noting that the federal constitution, of course, would override any such state legislation that was inconsistent, as federal provisions, I am advised, would succeed over the state provisions, but you know more about that than I would, sir. I understand that in this instance that would likely apply here if there ever was an inconsistency that needed to be tested. So these changes really are inevitable and irresistible and are a natural development from what happened in the commonwealth.

I would like to conclude my contribution by saying that Labor is proud to support this bill. I commend it to the chamber even though it is long overdue.

**The Hon. C. BONAROS (12:08):** I, too, rise to speak, on behalf of SA-Best, in support of the Statutes Amendment (Legalisation of Same Sex Marriage Consequential Amendments) Bill 2019 and am proud to do so. The changes contained within the bill are required following the federal parliament's legislation of same-sex marriage at the end of 2017. The bill makes basic, mostly technical changes or changes to terminology and other updates to marriage-related provisions across 19 state acts that have been identified as requiring updating.

The passage of the marriage equality legislation came after a long and tortuous road to get there, including a scuttled plebiscite and the marriage survey that we had to have, because former prime minister Turnbull was beholden to the extreme right of his party. He used every opportunity to delay and thwart marriage equality, despite overwhelming support amongst Australians.

To the members of the LGBTIQ community, I say sorry to you, your partners and your families, who had to endure the pain of that completely unnecessary pathway to achieving marriage equality. It was the result of weak politicians, too frightened by a tenuous majority, rather than having the fortitude to do the right thing and simply legislate for marriage equality, given that the marriage power already exists in the commonwealth constitution.

In the end, the wonderful Australian spirit won—in spite of the divisive campaign during the marriage survey—with 62 per cent of Australians nationally, or 7.82 million, yes voters, ensuring a resounding positive response. I pay my respects to those in this chamber and those federally who campaigned to ensure that the result would be yes, but especially to every person who letterboxed, doorknocked, called and attended rallies across the nation to achieve that positive result.

Data released from the Australian Bureau of Statistics just this week shows that in 2018 a wonderful 6,538 same-sex couples married across the nation. I congratulate them and wish them well. It is wonderful to see so many people celebrating marriage. Love recognises no barriers: it jumps hurdles, leaps fences, penetrates walls to arrive at its destination full of hope. With the commencement of the Marriage Amendment (Definition and Religious Freedoms) Act on 9 December 2017, we have finally arrived at our destination of hope. With those words, I too support the bill and commend it to the chamber.

**The Hon. R.I. LUCAS (Treasurer) (12:11):** I thank honourable members for their contributions and indications of support for the second reading.

Bill read a second time.

*Committee Stage*

Bill taken through committee without amendment.

*Third Reading*

**The Hon. R.I. LUCAS (Treasurer) (12:13):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**MARRIED PERSONS (SEPARATE LEGAL STATUS) BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 3 December 2019.)

**The Hon. I.K. HUNTER (12:14):** I rise again to speak very briefly to the Married Persons (Separate Legal Status) Bill and indicate that I am the lead speaker for the bill for the opposition. As with the previous Statutes Amendment (Legalisation of Same Sex Marriage Consequential Amendments) Bill, Labor is very pleased to support this bill.

The bill is essentially in two parts, I am advised. Firstly, it establishes the Married Persons (Separate Legal Status) Act. I have also been advised that this act is similar in nature to acts in New South Wales and the Northern Territory. So, while it contains much needed updates to the law, it is not breaking any new ground in terms of being a standalone act.

Secondly, this bill makes several amendments to the Law of Property Act 1936. These amendments essentially remove some gendered language from the act, updating some provisions of the act that I am advised are intended to override several common law rules from the late 1800s and to repeal several outdated sections of the act. I think we last did this some years ago when the former member for Hartley, Grace Portolesi, moved some amendments to the act to remove sections that said married women could not have their sewing machines taken away from them if they were in debt—a very long overdue amendment—and it has taken a while to get to this point here today.

The provision in the Law of Property Act 1936, which outlined that a husband is not liable for his wife's debts, is being repealed and modernised into a new gender-neutral provision in the Married Persons (Separate Legal Status) Act that says a married person is not liable for the debts of their spouse before marriage. This legislation is required both as a result of the federal government legalising same-sex marriage but also following the work the SA Law Reform Institute undertook to audit instances of gender discrimination in South Australian legislation.

I have also been advised that the consultation on the bill occurred with the Heads of Jurisdiction, the Law Society and the Bar Association as well as the Crown Solicitor's Office and the Registrar-General. We have been told that feedback from the consultation was supportive and that no changes were recommended to be made to this bill. In closing, Labor will support the bill through the second reading and its final clauses.

**The Hon. C. BONAROS (12:16):** I indicate for the record that we will be supporting this bill.



**The Hon. R.I. LUCAS (Treasurer) (12:17):** I thank honourable members for their contributions and indications of support for the bill.

Bill read a second time.

*Committee Stage*

Bill taken through committee without amendment.

*Third Reading*

**The Hon. R.I. LUCAS (Treasurer) (12:19):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**LEGAL PRACTITIONERS (FOREIGN LAWYERS AND OTHER MATTERS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 3 December 2019.)

**The Hon. I.K. HUNTER (12:19):** I rise to speak to the Legal Practitioners (Foreign Lawyers and Other Matters) Amendment Bill 2019. I indicate that I am the lead speaker for the opposition and will make a short contribution.

In the other place, my colleague the member for Kurna advised that Labor would reserve our position subject to further consideration and consultation. That consultation has now occurred. Labor will be supporting the bill, but we have a series of concerns that need to be unpicked and I need to put that on the record today.

The intention of the bill is to create a regulative regime for foreign lawyers practising foreign law in South Australia. However, it does remain rather unclear why this bill is so desperately needed. The bill seems, to me at least, like a bureaucratic fix to a problem that may or may not exist. It seems like the kind of bill governments introduce when they run out of ideas and are seeking to fill up a parliamentary sitting day.

In the first instance, it is not absolutely known from consultations we have conducted how many foreign lawyers are practising in South Australia. No-one can give us an indication or any answer to that. What we do know from anecdotal evidence received from the Law Society is that there have been three or four complaints about the conduct of foreign lawyers over the last several months but, other than a handful of complaints, we cannot get our hands on any firmer figures.

In the other place, my colleague the member for Kurna has outlined a series of questions that the Attorney-General's Department were unable to answer in our briefing sessions. These questions included what the rationale was behind this seemingly new push to regulate foreign lawyers, what the application fee for registration as a foreign lawyer might be and under what circumstances the Law Society would exempt a foreign lawyer from provisions within the bill.

We have met with the Law Society to clarify some of these issues and the Law Society advised they have supported the introduction of a scheme to regulate foreign lawyers in South Australia since at least 2012, so this is a renewed push or the outcome of an ongoing push that has gone on for some time. That is well and good, but the Law Society also advised that the Attorney-General will set the application fee for registration as a foreign lawyer.

This is quite different from the advice provided to us in the briefing that we received from the Attorney-General's Department. It is also very different from the advice the Attorney-General provided to the other place. She said, 'These will be fees that are set not by the government but by the Law Society.' That does not appear to be precisely the case.

The Law Society states in a submission to the Attorney-General, I am advised, that it is ultimately the Attorney-General who sets the fees. It is rather embarrassing that the Attorney-General does not seem to understand this or that she has been poorly advised. To be fair to her, she did say that she had received a memo asking her to approve a request for the Law Society to increase

practising certificate fees. Nonetheless, reading *Hansard*, one could be left with the impression that the Law Society sets the fees, which I am advised is not quite right.

The final matter relates to the insertion of schedule 1A, part 11, clause 51, Exemption by Society. I advise the leader that I will have a question on that in the committee stage. This clause provides a broad power for the Law Society to exempt a foreign lawyer from any provision within the bill. At the outset, I should say that the Law Society have advised us that they did not request these very broad powers, so this is a remarkable statement, given the Attorney-General's Department also could not identify to me the source of this clause in the briefing that we had with them.

We asked the Law Society what the purpose of the broad exemption clause might be and how they might use that clause. The Law Society advised that they might, for example, use the clause to waive application fees for foreign lawyers who are unable to pay the application fees due to hardship reasons. It is hard to see how practising foreign lawyers would be in hardship and still be allowed to practise.

However, the fundamental point that the Law Society kept returning to was that they wanted to register foreign lawyers and that they wanted them to comply with the registration conditions. I guess if foreign lawyers were required to register, they might then find out how many foreign lawyers were practising in the state, but that is a question that no-one can answer. Exempting foreign lawyers from these provisions in the bill would run counter to the intent of this statement and, I would think, the reason behind the legislation.

The Law Society has very kindly conducted some research into what powers currently exist to exempt lawyers from particular provisions. The current exemption clause for local lawyers is found in regulation 56, I am advised, of the Legal Practitioners Regulations:

56—Exemptions

The Society—

- (a) may exempt a law practice from complying with any of the provisions of Schedule 2 of the Act, subject to any conditions that may be imposed by the Society; and
- (b) may, at any time, impose a new condition on the exemption, amend or revoke a condition already imposed on the exemption, or revoke the exemption.

The exemptions only apply to schedule 2 of the act, which only deals with trust money and trust accounts and is certainly not the very broad exemption power now provided for foreign lawyers in the legislation before us. That is another circumstance under which the exemption power might possibly be used, I suppose, in relation to trust money and trust accounts.

We have since received correspondence from the Law Society about the genesis of this exemption clause. That correspondence advises that the Law Society consulted with the Attorney-General's Department, which advises that the exemption clause was based on the Legal Profession Model Bill to ensure consistency. There are all sorts of complications here. I might divert very briefly. Jurisdictions around the country have three different approaches to this legislation, I am advised. There are model bills, there are uniform bills or uniform codes and there are also a couple of jurisdictions, including South Australia, that have gone their own way and have their own separate legislation that differs from those other two approaches.

I think it would assist debate in this place if the government could definitely advise who identified the need to carry this broad exemption power across from the model bill and under what circumstances the exemption power might be used. If the use of the clause is as narrow as fee waivers and trust money, the government might like to consider how they intend to resolve that issue.

The bill also makes amendments relating to trustee companies. As outlined in the government's second reading explanation, an issue has been identified that means that trustee companies are regulated under both the Legal Practitioners Act 1981 and the commonwealth Corporations Act. The amendments remove trustee companies from the Legal Practitioners Act 1981 so that they are now only regulated, under the bill, under the commonwealth act. With those few words, I indicate that Labor intends to support the bill but hopes that the leader will be able to advise on the questions I have raised when we get to the committee stage.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. R.I. LUCAS:** The Hon. Mr Hunter raised a question at the second reading, and I am advised as follows. As I think the honourable member might have indicated, my advice is that this exemption provision was taken across from the model bill. In the government's view and the advice provided to the government, there was no reason why the provision that was in the model bill should not be transferred across. It is for that reason that the exemption provision as drafted is before the chamber at the moment. I am really not in a position to add anything further. I do not think there was any other submission for it other than it was in the model bill and it was taken across, based on advice.

Clause passed.

Clauses 2 to 14 passed.

Clause 15.

**The Hon. I.K. HUNTER:** I thank the Leader of the Government for the answer. Is the leader able to advise the chamber who exactly identified the need for the broad exemption power? Who determined that we would be following the model bill rather than the uniform bill?

**The Hon. R.I. LUCAS:** I am advised that originally, in terms of the model bill, it was a working party of SCAG officials, so attorneys-general's departments across the nation worked together on the model bill. In terms of why the recommendation before us today picks up that particular provision, it was an initiative or recommendation of the very hardworking and competent members of the Attorney-General's Department, working together with parliamentary counsel, who provided that advice to the Attorney-General, who obviously subsequently had to take authority for whether or not she agreed with that competent advice. She did so.

As a result of going through the normal processes of cabinet, it arrived here. In terms of, 'Where did the recommendation come from?', it was the legal staff within the Attorney-General's Department given the responsibility of drafting the appropriate legislation and how it should be drafted, together with parliamentary counsel, recommendation by the Attorney's office and ultimately the Attorney. She obviously has to accept responsibility for the final draft she took to cabinet, and cabinet approved it.

**The Hon. I.K. HUNTER:** Just to follow up on the exemption that is being inserted in this bill from the model bill, as I understand it and as I outlined in my second reading speech, there is an existing exemption for South Australian registered lawyers, but it only goes to, I think, section 2. It is for trust accounts and moneys and such. This exemption for foreign lawyers is far broader and applies to the whole act. What does the government envisage exempting foreign lawyers from in the act, other than those provisions which South Australian registered lawyers may be exempted for? Is there something different applying to foreign lawyers that needs a much broader exemption from the act than just that narrow provision that South Australian registered lawyers have an exemption?

**The Hon. R.I. LUCAS:** I am advised there is nothing specific that the government or its advisers have in mind in relation to it. It is simply an issue of that is what was in the model bill and it has been taken across. It may well be as generic as you do not know what you do not know in relation to foreign jurisdictions. Maybe that is the reason it was in the model bill and maybe there was something that had not been contemplated, that there might need to be a broader exemption. The frank answer is it was in the model bill and there was no advice or reason that could be contemplated as to why it should not just come across from the model bill into this particular bill. Nothing specific was provided that I can share with the honourable member as to why it might be required.

**The Hon. I.K. HUNTER:** Through you, sir, and through the leader, I might be able to ask the adviser for some advice. Where a jurisdiction utilises a model bill—and I think I am right in saying it is Queensland and possibly New South Wales but I am not sure of the details. Regarding, for

example, an exemption in Queensland or New South Wales for registered lawyers, is that the same as the one we are putting in place here for foreign lawyers or is it more restricted, as we currently have in our legislation?

**The Hon. R.I. LUCAS:** My advice is that if those other jurisdictions have adopted the bill as is, then it is exactly the same. The only caveat to that was that it was originally adopted that way; it just depends on whether in subsequent years they have made any changes of which we are unaware. If it is as in the model bill, then it is exactly the same as our provision.

**The Hon. I.K. HUNTER:** My last question on this topic, and I fully expect the Treasurer will not be able to answer it: why did the government or the Attorney-General not provide for exemptions for foreign lawyers in the same way as for state registered lawyers? I will put it another way: why did the legislation before us not deal with state registered lawyers and foreign lawyers in the same way with regard to these exemptions? If there is no specific contemplation that something different needs to be considered, why did you not lump them all together and give them that broad exemption that is in the model bill?

**The Hon. R.I. LUCAS:** I really cannot add much more than I have done already and that is, when it was originally developed as a model bill by the officers working for SCAG, it was drafted in this particular way. The South Australian government has picked up that provision in the model bill. It may well be an excess of caution and therefore never required to be used but that was the way it was developed and there was no argument that could be seen from advisers to the Attorney-General in South Australia as to why we should not pick up the model provision, and they have done so. I have nothing more that I can add, I am afraid.

**The Hon. I.K. HUNTER:** I think that outlines my earlier assumptions that this is probably legislation that we do not need but we might as well have. For some of the reasons that have been outlined to the chamber, Labor will be supporting the legislation but with the caveat that we are not quite sure why the government is presenting it at this time, other than to say, 'There is a model bill and we think we should adopt the model bill, as opposed to the uniform bill which other jurisdictions have.' We have not heard much debate about why we are not considering the uniform bill. With those caveats, we will be supporting the legislation through.

Clause passed.

Remaining clauses (16 to 19), schedule and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. R.I. LUCAS (Treasurer) (12:40):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

*Sitting suspended from 12:41 to 14:15.*

*Parliamentary Procedure*

**PAPERS**

The following papers were laid on the table:

By the President—

Reports, 2018-19—

Mount Barker District Council

City of Unley

City of Victor Harbor

By the Minister Human Services (Hon. J.M.A. Lensink)—

Reports, 2018-19—

Environment Protection Authority—Amendment to page 17

Murray-Darling Basin Authority  
Report on the Operation of the Climate Change and Greenhouse Emissions Reduction  
Act 2007 (SA)—December 2019  
*Ministerial Statement*

### HOUSING, HOMELESSNESS AND SUPPORT STRATEGY

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:16):** On Sunday, the Premier and I were proud to release the Marshall Liberal government's new Housing, Homelessness and Support Strategy, titled *Our Housing Future 2020-30*. This strategy is a once-in-a-generation plan to modernise and reform our state's housing system to meet the future needs and aspirations of South Australians.

At its centre, the strategy will help more South Australians into home ownership, grow jobs and boost the economy, with a plan to deliver more than 20,000 affordable housing outcomes over the next decade. Backed by a \$550 million government investment, major initiatives in the plan include:

- \$400 million towards delivering 1,000 new affordable homes by 2025 for low and moderate income earners, with all profit generated from the development activity to be injected back into Housing SA;
- an additional \$75 million over ten years to continue this government's commitment to addressing the public housing maintenance backlog;
- a \$54 million neighbourhood renewal program over five years delivering new social, affordable and open market homes;
- \$20 million from 2020-21 over 10 years for a homelessness prevention fund to trial new approaches to reduce the need for crisis accommodation;
- continuing to support home ownership through 10,000 HomeStart Finance loans targeted to low and moderate income households and committing an additional \$5 million over five years to the Starter Loan initiative, which will provide for 500 new loans; and
- delivering up to 1,000 employment and training outcomes to help social housing tenants into a job.

We know that far too many South Australians are experiencing rental stress, as well as unstable and unsuitable housing conditions. We know that we need to create clearer housing pathways for people to exit from paying 'dead money' through renting properties in the private and social housing systems, which will free up social housing for those who need it most. We also know that reorienting our support systems will help prevent people falling into homelessness.

By delivering more affordable housing, clearer pathways to independent housing solutions, more sustainable social housing, and investment into homelessness prevention, *Our Housing Future* creates the change needed to have sustained and meaningful impact. The plan is about giving aspiring homebuyers a foot in the door, living the great Australian dream of owning a home, and also ensuring that our most vulnerable citizens achieve improved social and economic outcomes.

I have previously reported to the parliament on our state's broken housing system. Last year, I reported to parliament, through the tabling of the triennial review, that the South Australian Housing Trust is at risk of being unable to provide appropriate housing to low income households into the future. I also outlined the Marshall government's vision: that we need all parts of the housing system working together if we want to provide South Australians with long-term housing stability. *Our Housing Future* is our roadmap to achieve this.

Establishing a framework to achieve such an ambitious vision is not done in isolation. Throughout the consultation for this new strategy, over 1,000 non-government organisations, businesses, representative bodies and, most importantly, communities, families and individuals with lived experience shared their voices, and we heard a loud call for change.

Reform has begun and the new Office of Homelessness Sector Integration is leading the transformation of what has been a fragmented and siloed system. These are shared solutions and the strategy creates the conditions to support the partnerships, pilots to try new solutions and a \$550 million government investment to kickstart the work. The opportunities are now before us. Our partners are ready for change. Our customers and clients deserve it and this government is ready to deliver it.

*Parliamentary Procedure*

**ANSWERS TABLED**

**The PRESIDENT:** I direct that the written answer to a question be distributed and printed in *Hansard*.

*Question Time*

**WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:20):** My question is the Minister for Health and Wellbeing. Is the government fully committed to building a new Women's and Children's Hospital? If so, when will construction commence, and will the hospital be a public private partnership or government built and operated?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21):** The government certainly is committed to building a new Women's and Children's Hospital and the reason is because we got elected to deliver it. One of the key distinctions between the Marshall Liberal opposition and the former Labor government—

*Members interjecting:*

**The PRESIDENT:** Order! I can't hear the minister.

**The Hon. S.G. WADE:** —is that we—

*Members interjecting:*

**The PRESIDENT:** Order! Allow the minister to answer the question.

**The Hon. S.G. WADE:** I thank the President for bringing the house to order. The Marshall Liberal team, coming into government, came in with a mandate and a commitment to deliver the Women's and Children's Hospital as an integrated unit. The former Labor government was willing to leave the children's hospital at the North Adelaide site basically stranding paediatric services for an unknown period. We are committed to a new Women's and Children's Hospital and, in terms of the first down payment of that commitment, there is a commitment of \$550 million in the 2019 state budget.

**WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:22):** Supplementary, since virtually all of the question hasn't been answered: when will construction commence? Will the hospital be a public-private partnership or will it be government built and operated? They are simple questions; it would be good to have an answer.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22):** I always get simple questions from simple opposition.

*Members interjecting:*

**The PRESIDENT:** Order! Allow the minister to answer.

**The Hon. T.J. Stephens:** Stop being so excited, Clare.

**The PRESIDENT:** I don't need any assistance, the Hon. Mr Stephens.

**The Hon. T.J. Stephens:** And that's not sexist.

**The PRESIDENT:** The Hon. Mr Stephens!

**The Hon. T.J. Stephens:** Sorry.

**The PRESIDENT:** I don't like your utterings from the backbench. Minister, go on.

**The Hon. S.G. WADE:** As I said, the government has already provisioned \$550 million in the 2019-20 state budget to commence the planning phase. The planning phase will include the progression of planning, design and cost estimates for the new Women's and Children's Hospital and the development of a final business case, which will be progressed over the course of 2020. The issue that the honourable member raises in terms of a PPP is not a matter for me: it's a matter for the Treasurer. With all due respect, it's the Treasurer who pays my bills.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:23):** Supplementary: now that the minister has had several days to seek a briefing, can he advise the council about the new Women's and Children's Hospital consortium, including its total cost and commencement date?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23):** I presume the honourable member is referring to the contract to develop the full business case. That's been awarded to a joint partnership between Deloitte and Aurecon following the request for tender procurement process undertaken from October to December 2019.

*The Hon. I.K. Hunter interjecting:*

**The PRESIDENT:** The Hon. Mr Hunter, I can't hear the minister.

**The Hon. S.G. WADE:** That's right. He didn't want the answer so I am not going to give it to him.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:24):** Supplementary: did the new Women's and Children's Hospital task force complete a report prior to the engagement of this consortium, as the minister previously advised parliament, or did it not?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24):** Considering my time in opposition, I think the Hon. Rob Lucas might be having the same nightmares that I am having. The new Royal Adelaide Hospital construction led to piles upon piles of reports. You don't build a hospital with merely one stage of the process being documented. Of course there will be work done through this process. It will take more than one report to build a hospital.

**The PRESIDENT:** The Hon. Ms Scriven, we have exhausted that.

**The Hon. C.M. SCRIVEN:** He hasn't answered any questions, though, Mr President.

**The PRESIDENT:** I can't put words into his mouth. The Hon. Ms Bourke.

#### **MCGOWAN, DR C.**

**The Hon. E.S. BOURKE (14:25):** My questions are to the Minister for Health and Wellbeing:

1. Given that the minister's chief executive, Dr Chris McGowan, is under independent investigation regarding conflicts of interest, will the minister explain how it is appropriate that Dr McGowan is a member of a task force investigating conflicts of interest?

2. Has Dr Chris McGowan declared any conflicts of interest to the task force?

3. Has the task force met yet and, if so, when?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25):** In relation to the first—

**The Hon. E.S. Bourke:** Just in case you are wondering—

**The Hon. S.G. WADE:** If you would like to stop asking your question, I can give you an answer.

**The Hon. E.S. Bourke:** —it's a task force in regard to the report that you tabled last week.

**The Hon. S.G. Wade:** Sorry, Mr President, I thought that we had finished asking questions. How do I know when she has finished asking her question if she keeps talking?

**The PRESIDENT:** I am not having a conversation with you while you are seated. The Hon. Ms Bourke, what were you attempting to do there? I missed it.

**The Hon. E.S. Bourke:** I was just having a conversation with him, that's all.

**The PRESIDENT:** I know that it's almost the last day of the year, possibly, so can we all understand that, if you wish to address me, you stand or, if you wish to make a point, you are on your feet. I refuse to hear any of that. Minister, you have the question. Do you wish to answer it?

**The Hon. S.G. WADE:** I actually got three questions and I have three answers. To number one, I refer the honourable member to my answer last week. In relation to number two, I am not a member of the task force so I cannot answer that question. In relation to number three, today is Tuesday and they met yesterday.

**The PRESIDENT:** The Hon. Ms Bourke, a supplementary.

#### **MCGOWAN, DR C.**

**The Hon. E.S. BOURKE (14:26):** Can I ask the minister: considering the weight of the report that was tabled last week, are you aware of any conflicts of interest that Dr Chris McGowan has, considering he is on the task force?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** I refer the honourable member to the answer I gave last week.

**The PRESIDENT:** The Hon. Ms Bourke, a further supplementary.

#### **MCGOWAN, DR C.**

**The Hon. E.S. BOURKE (14:27):** Have any of Dr McGowan's roles or responsibilities been assigned to another public servant, either on a temporary basis or on a permanent basis, in the last two weeks?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** I will certainly take that on notice. Certainly, in terms of the delegation of tasks and so forth, these things don't all come past me, so I am not aware of any, but I will take that on notice.

#### **MCGOWAN, DR C.**

**The Hon. E.S. BOURKE (14:27):** A further supplementary: now that the minister has had several days, can he advise the council why Dr Chris McGowan failed to appear at the announcement of the task force? Was Dr McGowan invited to attend? If so, why was he not there?

**The PRESIDENT:** The Hon. Ms Bourke, that is effectively a new question. If the minister chooses to answer it, he can. That's way past supplementary. One of the other Labor members can ask that, if they wish.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:28):** I have a further supplementary: what were the outcomes of the task force that met yesterday that the minister referred to?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28):** I will take that on notice.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. C.M. SCRIVEN (14:28):** Supplementary: did the minister seek a briefing, following the meeting of the task force yesterday?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28):** The Labor opposition thinks that every time a Public Service task force meets they should brief a minister in another portfolio. I remind honourable members that this is a task force that reports to the Premier, and I would rather they get on with the task than spend their time, after every meeting, writing me a briefing.



### LOCAL HEALTH NETWORKS

**The Hon. I.K. HUNTER (14:28):** My question is to the Minister for Health and Wellbeing. Given that we are now five months into the financial year, will the minister advise how many local health networks have signed service level agreements for the 2019-20 year? In particular, which ones have signed and which ones have not?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29):** I will take the honourable member's question on notice.

### LOCAL HEALTH NETWORKS

**The Hon. I.K. HUNTER (14:29):** Supplementary: I request that the minister also take on notice, if he would, whether board members or chairs have expressed concerns about signing those service level agreements for the 2019-20 year.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29):** I am happy to take that on notice.

### TOURISM INFRASTRUCTURE

**The Hon. D.G.E. HOOD (14:29):** My question is to the Minister for Trade, Tourism and Investment. Can the minister provide an update to the council about the Marshall Liberal government's investment in tourism infrastructure?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:29):** I thank the honourable member for his question. As I have discussed previously in this place, tourism is one of our government's key priority growth sectors and we are investing in many different ways to ensure the visitor economy continues to grow. One of these ways is through infrastructure. We are investing in infrastructure, unlocking our regions, bringing more people to our amazing state and maximising the potential of our tourism assets.

The first one I would like to mention is the Granite Island causeway. As part of the 2019-20 state budget, the government committed an initial \$20 million towards securing the future of the Granite Island causeway. The Granite Island causeway is an iconic heritage landmark with significant tourism value. It is the jewel in the Fleurieu Peninsula's crown, and the Marshall Liberal government is investing in the future of Fleurieu tourism.

Another important investment initiative is the Port Wakefield overpass. The government has invested \$90 million towards the Port Wakefield overpass and the highway duplication project. This will unlock the entire Yorke Peninsula region for further visitors to the area, boosting the local economy and creating jobs. Queueing up to get away on a long weekend will be a thing of the past, queueing to get home on a long weekend will be a thing of the past and it will allow more intrastate visits to the region. It will also unlock investment and allow the private sector to get back to Adelaide more quickly, or back to Yorke Peninsula. It is a benefit not only to the tourism sector but to the broader economy.

We have also invested in the Penola bypass, a project that aims to take the heavy freight right out of the Penola township, take it away from the township and allow that area to benefit from a greater visitor experience.

Of course, in recent days we have had some great news around the investment that the government has made in Memorial Drive. We have invested \$10 million to construct a canopy over the centre court. The redevelopment has just been completed, and we will be hosting the Adelaide International event for the first time in January. As we all know, there are some wonderful great names coming: Ash Barty, the world number one; Simona Halep; Alex de Minaur; and legends of the game such as Novak Djokovic and Venus Williams. The people of Adelaide are very excited about coming to see those wonderful world-class tennis players. It is something we have been missing for well over a decade, since the former government lost the women's event to Brisbane.

The state government has partnered with the federal government to provide \$15.8 million to the Monarto Safari Park towards the development of the new state-of-the-art visitor centre. This will complement the \$40 million of private investment into Monarto for a five-star resort and luxury

glamping facilities. The Monarto Safari Park will offer tourists the closest thing to an African safari on this side of the Indian Ocean.

It is a truly remarkable asset, and I think it is something we should all go and enjoy. This investment is just one example of the private sector showing confidence in our government and our state. Since coming to government, we have seen more than half a billion dollars in private investment in hotel builds across the state. It is fantastic to see it. I am looking forward to the openings of the Crowne Plaza Hotel, the Adelaide SkyCity Hotel, the Sofitel Hotel and, of course, the Monarto hotel, in 2020.

#### TOURISM MINISTER

**The Hon. J.E. HANSON (14:33):** Supplementary: what has the minister done to lose the confidence publicised by the tourism council of Australia and the industry more generally in him being the minister instead of the Premier?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:33):** I am not sure that is a supplementary.

**The PRESIDENT:** If you don't think it's a supplementary, don't answer it.

#### SA HEALTH

**The Hon. C. BONAROS (14:33):** I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about an independent judicial review into SA Health.

Leave granted.

**The Hon. C. BONAROS:** Only yesterday, Oakden whistleblower Stewart Johnston and chemotherapy bungle victim Andrew Knox called for an independent judicial review into the crisis gripping our health system, like the one our ICAC commissioner wants to undertake if he is able at some point to secure \$2 million from this government.

This morning on radio, the Premier pointed to the massive political upside such an inquiry would have. I quote:

...there would be a massive political win for the Liberal Party to have a Royal Commission into the health system. I think it would uncover all sorts of atrocities which existed under the previous Government. But how does that serve anybody? The reality is, the people of South Australia elected us to fix the health system, not to deliberate what occurred five, ten, fifteen years ago. We've got to get on and I'm 100% convinced, convinced that we are on that track.

My question to the minister is: do you agree with the Premier in politicising such a crucial issue when patients' lives are at stake, and how can you expect the public to have any confidence in this government's plans to fix the public health system when there is no way of knowing where all the problems exist because of the continued refusal to hold an independent judicial review?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35):** I fundamentally disagree with the honourable member that the Premier was politicising the issue; in fact, he was doing exactly the reverse. What he was saying was, 'If I was acting as a politician rather than a statesman, I would go for it. I would have a royal commission to expose the 16 years of mismanagement of Labor.' And, let's be clear, last week Mr Johnston wanted us to look at things like chemotherapy dosing, EPAS, the 16 years of Labor mismanagement. This week, Mr Johnston wants us to also roll in their disastrous treatment of aged care and child protection. I appreciate—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** You can tell, the louder the Hon. Mr Hunter gets the more embarrassed you know he is about the record that he's got to try to stand behind. In fact, that's the only hint that the Hon. Ian Hunter has any morsels of morals left because occasionally, almost like a knee-jerk reaction, he starts ramping up as soon as we start laying bare the disasters of the last 16 years. So, I would like to congratulate the Hon. Ian Hunter on showing some morality.

In relation to politicising, I strongly am of the view that what the Premier was saying is that this government is not a government that's going to play political games, wasting time on a royal

commission that would only serve to write the history books, which, I am afraid, we are going to leave for someone else. We want to write the future. That is why we are committed to a process which looks forward.

If I could also take point with the Hon. Connie Bonaros's linking of what the Hon. Bruce Lander is proposing and what the advocates, Mr Johnston and Mr Knox, are proposing. The Hon. Bruce Lander is suggesting an evaluation, as I understand it, under the ICAC Act. He suggests that it might have a budget of \$2 million. Mr Johnston and Mr Knox, particularly Mr Johnston, are wanting a full royal commission.

In fact, I might distinguish between what I understand the primary proposals of the two advocates are. Mr Johnston would like to have a full royal commission which doesn't stop at health but also looks at things like aged care and chemotherapy dosing. Mr Knox, as I understand it, is convinced, I understand, particularly influenced by the contribution of Hon. Rob Lucas. He has accepted that a royal commission would take too long and cost too much and would delay reform. He is instead suggesting that we should have a process that has judicial oversight.

What I would say, with all due respect to Mr Knox, is that that's exactly what we've got. The ICAC commissioner is a former judge. He has an ICAC commission which is basically a standing royal commission. The work that's going to be done by government in response to his report, the report that was released last week, will of course be overseen by the ICAC commissioner. That's why the budget will continue to provide him \$15 million a year going forward.

#### **CHEMOTHERAPY TREATMENT ERROR**

**The Hon. C. BONAROS (14:38):** Supplementary: with all due respect to Mr Knox, does the minister accept that the Coroner attributed four deaths to that chemo bungle and recommended a royal commission as a result?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39):** I will certainly take that on notice. That is not my recollection on either count. I will certainly check the Coroner's report in that case. There were a number of recommendations, but I don't recall him specifically recommending a royal commission.

**The Hon. C. Bonaros:** Supplementary.

**The Hon. S.G. WADE:** Sorry, just to clarify, Ms Bonaros, I am assuming that you were saying that the Deputy Coroner recommended that rather than Mr Knox?

**The Hon. C. BONAROS:** That's correct.

**The PRESIDENT:** The Hon. Ms Bonaros, a supplementary.

#### **CHEMOTHERAPY TREATMENT ERROR**

**The Hon. C. BONAROS (14:39):** Does the minister also accept that when those recommendations were made he said he was open to the idea of a royal commission in line with those recommendations?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39):** This is going back to comments the Hon. Connie Bonaros made last week, and I must admit I haven't taken up the opportunity to have a word with the honourable member to clarify the context. Let's put it this way: there is a suggestion from Mr Johnston, I understand, that there should be a royal commission that deals with chemotherapy dosing, but that is not my understanding of Mr Knox's proposal.

#### **CHEMOTHERAPY TREATMENT ERROR**

**The Hon. C. BONAROS (14:40):** A final supplementary: does the minister believe that he has the public on side in relation to this government's position on the establishment of a task force over a royal commission or an ICAC inquiry via the ICAC commissioner?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:40):** What I think is that the public is looking forward to seeing what I promised, which is a detailed response plan by Christmas.

**CHEMOTHERAPY TREATMENT ERROR**

**The Hon. C.M. SCRIVEN (14:40):** A further supplementary: has the minister met with ICAC commissioner Bruce Lander since the report was released and, if so, when?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:40):** I haven't met with the commissioner as yet.

**NATIONAL IMMUNISATION PROGRAM**

**The Hon. T.T. NGO (14:41):** I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question on the National Immunisation Program.

Leave granted.

**The Hon. T.T. NGO:** Recently the minister announced a task force to look into vaccinations by pharmacists of children from 10 to 16 years old. Will the minister outline his position on expanding the administration of the flu vaccine to seniors by pharmacists under the National Immunisation Program?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42):** In terms of the National Immunisation Program, I should stress that relates to the commonwealth-funded program rather than the state-funded program. There is no proposal before me that I'm aware of; I am certainly happy to take that on notice and check, but I'm not aware of a proposal before me for seniors to have vaccinations by pharmacists.

**NATIONAL IMMUNISATION PROGRAM**

**The Hon. T.T. NGO (14:42):** A supplementary: has the minister received any advice or recommendation regarding the management of this year's flu season?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42):** How is that a supplementary?

*Members interjecting:*

**The Hon. T.T. NGO:** Could I try that again—

*Members interjecting:*

**The PRESIDENT:** One of the rules is that you don't shout when you are sitting, minister.

*Members interjecting:*

**The PRESIDENT:** I really appreciate that members are so passionate about the standing orders that they are having an informal debate, but I would like to hear the Hon. Mr Ngo's supplementary.

**NATIONAL IMMUNISATION PROGRAM**

**The Hon. T.T. NGO (14:43):** A supplementary: has the minister proposed this program or has the Pharmacy Guild proposed this initiative at all?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43):** As I have said, I'm not aware of anybody putting a proposal to me for over 65s but, as I have also said, I will take that on notice and check.

**NATIONAL IMMUNISATION PROGRAM**

**The Hon. T.T. NGO (14:43):** Another supplementary: is the minister aware if any other states have this program for seniors?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43):** I am happy to take that on notice too.

**SOUTH AUSTRALIAN FOOD RELIEF CHARTER AND NUTRITION GUIDELINES**

**The Hon. J.S. LEE (14:44):** My question is to the Minister for Human Services about the recently launched South Australian Food Relief Charter. Can the minister please provide an update

to the council about the charter and accompanying nutrition guidelines that the minister recently co-signed along with the Minister for Health and Wellbeing and representatives of the food security sector?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44):** I thank the honourable member for her question. Food security is a key determinant of health and prosperity, with food insecurity linked to chronic diseases such as obesity, diabetes and heart disease. For many people who may be experiencing difficult times, the South Australian charity sector has often been a source of support, providing food parcels and assistance to help people get back on track.

Several years ago, the Department of Human Services, together with the Department for Health and Wellbeing, undertook a project to better understand the growing need for food relief within our community, as well as the rapid growth of the food relief sector more generally. This project found that charitable food relief was an increasing part of South Australia's welfare response and an invaluable service for those in need. It also found that it contributes to reducing food waste that would otherwise end up in landfill, and drew on the efforts of a vast number of volunteers across the state. It also found that there were opportunities to improve nutrition for people receiving food relief and build pathways out of dependence into food security.

A final report was released in 2018 with recommendations for both government and the food relief sector. I was very pleased recently, together with the Minister for Health and Wellbeing, to launch two of the recommendations from the report: firstly, the framework for food relief service provision, or the charter; and the nutrition guidelines. The charter details five key principles for best practice service delivery to people experiencing food insecurity, which are as follows:

- collaborating to build an effective and integrated food relief system;
- focusing on nutrition and health;
- delivering a service built on fairness and equity;
- connecting people, building skills and confidence; and
- monitoring and evaluating to measure collective impact.

This year, the Department of Human Services has had a particular focus on food relief through the Grants SA program and in recent years has provided assistance and grants to a range of organisations that operate in this space, including Foodbank, Uniting Country, Heart and Soul, Food for the Community, OzHarvest and SecondBite, to name a few. DHS also administers the emergency financial assistance program, which is free and confidential and is available to people who are experiencing personal financial difficulties, which is delivered by multiple agencies across the state and provides people with immediate financial assistance, often in the form of Foodbank food vouchers or other material assistance.

Food security entities also receive funding through a number of other sources, including the commonwealth government. It was a great pleasure to co-sign those documents with the Minister for Health and Wellbeing in the presence of representatives from a range of those non-government organisations. The food guidelines, unsurprisingly, break foods into green, amber and red and should go a long way to ensuring that people who are experiencing disadvantage also get to have a healthy diet.

**The PRESIDENT:** The Hon. Ms Franks.

**The Hon. T.A. FRANKS:** Thank you, Mr President, for the call, and I believe congratulations are in order for your nomination for the Senate.

**The PRESIDENT:** I am not sure I have, but anyway.

**The Hon. T.A. FRANKS:** I may have been unreliably informed by one of your colleagues, Mr President—

**The PRESIDENT:** You might have been, actually.

**The Hon. T.A. FRANKS:** —possibly to be senator.

### RETURN TO WORK, HEALTH BENEFITS

**The Hon. T.A. FRANKS (14:48):** I seek leave to make a brief explanation before asking the minister for industrial relations a question without notice about return to work payments for medical expenses.

Leave granted.

**The Hon. T.A. FRANKS:** I draw the minister and the council's attention to the provisions under the current Australian government Department of Health's Medicare Benefits Schedule Book, operating from 1 July 2019. I note that under that schedule Medicare does not pay for these expenses due to a note in the Medicare Benefits Schedule, note GN.13.33. Specifically, the relevant extract is GN.13.33 Services which do not attract Medicare benefits. It states:

Medicare benefits are not payable where the medical expenses for the service...

- (b) are for a compensable injury or illness for which the patient's insurer or compensation agency has accepted liability.

(Please note that if the medical expenses relate to a compensable injury/illness for which the insurer/compensation agency is disputing liability, then Medicare benefits are payable until the liability is accepted.);

My question to the minister is: where the liability has been accepted, in any case in South Australia is it currently the case that an injured worker is required to pay out of Medicare benefits or their private health insurance for that workplace injury? My second question is: is the Marshall government considering introducing that?

**The Hon. R.I. LUCAS (Treasurer) (14:50):** I am happy to take that question on notice and, given this is the last sitting day, if I get an answer prior to the next sitting day, correspond by way of letter to the honourable member with a reply.

### EMERGENCY DEPARTMENTS

**The Hon. I. PNEVMATIKOS (14:50):** My question is to the Minister for Health and Wellbeing in relation to our emergency departments. Will the minister outline whether statistics regarding the performance of emergency departments in South Australia have either improved or worsened over the past 12 months; and, either way, whether they have improved or worsened, in which way?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50):** In terms of one key indicator—and I appreciate that this is not internal to an emergency department—which is ramping, as I have openly acknowledged there has been a worsening of ambulance ramping since this government was in power. What we saw in the last week was a more than \$80 million investment in dealing with the problems we have inherited from the Labor Party in terms of emergency departments.

As I outlined to the house last week, the Flinders Medical Centre emergency department was last redeveloped significantly in 2010 and reached its operational capacity a couple of years later. It took the election of the Marshall Liberal government last year to have the next major investment. Across the southern hospitals—what is commonly being called the southern hospitals expansion program—there will be a doubling of the adult emergency department capacity at the Flinders Medical Centre, and that will be a great boon for that community to respond to its needs.

**The Hon. C.M. SCRIVEN:** Point of order: relevance. The question was about statistics in emergency departments. He has not mentioned statistics once, as far as I could hear.

**The PRESIDENT:** The minister has some leeway and he is, as I understand it, going through key data.

**The Hon. I.K. Hunter:** It would be good if you could share that data.

**The Hon. S.G. WADE:** I thought the point was actually to indicate performance rather than to convey numerals. If the honourable members want statistics for statistics' sake, I am more than happy to provide them with reams. If, in fact, the Hon. Irene Pnevmatikos is actually asking a genuine question about emergency departments and how they are performing, as I think she is, I am more than happy to address that.

In terms of the 2019-20 financial year to date, the average ED visit time has increased by 2.1 per cent to 272.9 minutes from 267.3 minutes for the same period in the previous year. So whilst we are having significant problems in the emergency department, that stat in relation to average ED visit times shows, admittedly, a deterioration but in relatively small proportions.

#### EMERGENCY DEPARTMENTS

**The Hon. I. PNEVMATIKOS (14:53):** Further supplementary: will the minister advise whether the number of patients waiting more than four hours in emergency departments in South Australia is the measuring stick? Has that improved or deteriorated?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:54):** At the 2019-20 financial year to date—which, on the latest figures I have, is October—60.1 per cent of ED presentations were seen, treated and physically left the ED within four hours. That's both metropolitan and country. This was a slight decrease when compared with performance reported for the same period the previous year, which is 60.7. On that indicator, there has been a slight improvement.

#### EMERGENCY DEPARTMENTS

**The Hon. I. PNEVMATIKOS (14:54):** Further supplementary: does South Australia have the worst performing emergency departments in Australia?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:54):** That statement, if you like, is most likely seen to relate to the Australian Institute of Health and Welfare data, and certainly that was the case under the former Labor government.

#### TASTING AUSTRALIA

**The Hon. T.J. STEPHENS (14:55):** My question is to the Minister for Trade, Tourism and Investment. Can the minister please update the council about the program for Tasting Australia 2020?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:55):** I thank the honourable member for his ongoing interest in that wonderful event known as Tasting Australia—interestingly, one that was established under the former Liberal government in the mid-nineties. Today I am delighted to announce that the program for Tasting Australia 2020 went live late last week.

Tasting Australia is South Australia's premier food and wine festival and one of the most celebrated and cutting edge in the country. It is the 14<sup>th</sup> time that it has run, and in particular it is the fifth time that the event has been held annually. Tasting Australia is one of the most unique events of the festival season as well as one of the most celebrated.

Two Saturdays ago we announced that for the first time RAA Travel will be the presenting partner for the festival, which is fabulous. To have a presenting partner really elevates the event. We also announced that celebrity chefs and culinary legends Matt Moran, Mark Best and Dan Hong will be ambassadors for next year's event. We are delighted to have everyone on board as part of the Tasting Australia family. Of course, we will welcome back festival director Simon Bryant, beverage director Nick Stock and event manager Ross Ganf. We wish former program director Jock Zonfrillo all the very best as he moves into a hosting role with *MasterChef*. But on to the program.

The aim of Tasting Australia is of course to promote South Australia as a tourism destination and to showcase the very best our beautiful state has to offer. We all know South Australia has the best food and wine in the country, and it is fantastic to be able to share that with everyone. This year's Tasting Australia program will be curated by RAA Travel event patron, Cheong Liew, along with a selection of guest programmers from South Australia's most celebrated spots, including Africola, Sparkke at the Whitmore, Shobosho and many more.

We will see the return of the Glasshouse Kitchen, which has been greatly enjoyed in recent years, as well as brand-new events, such as the East End Cellars Masterclass, the Yalumba farmgate lunch with Matt Moran, a vintage tour and One Plate. The events range from long lunches to lessons from amazing professionals to in-depth discussions with industry and experts. Tasting

Australia celebrates and brings together local and international talent, all in the love of amazing food and wine experiences.

This year the 2019 Tasting Australia event attracted 64,000 visitors to town square as well as 11,000 event-specific visitors from interstate and overseas. The event generated \$5.5 million into the state's economy, solidifying Tasting Australia as one of the most exciting parts of Mad March. This next event, in 2020, runs from the 27 March to the 5 April and will have on offer more than 140 events.

I encourage everyone to tell their friends, their loved ones, their neighbours and everyone they know about next year's festival. There is something for everyone in next year's festival, and I look forward to taking part as much as possible and updating the chamber on the success in the new year.

### LAND TAX INFORMATION

**The Hon. J.A. DARLEY (14:58):** My question to the Treasurer regarding land tax. Given the recent complex changes to land tax, does the government intend to update the RevenueSA website to provide updated information about the changes to land tax to assist individuals and companies to understand their land tax liability for the 2020-21 financial year and, if so, when? Will this include a land tax calculator?

**The Hon. R.I. LUCAS (Treasurer) (14:59):** Yes. The go-live date, I understand, will be no later than next Monday. It will include a calculator, as has been requested by a number of members, including the honourable member. It is, I am advised, to be modelled on the similar calculator the Victorian treasury department has to allow calculation.

The Victorian one is complicated and so is the South Australian one, but because of the various options it will have to be chosen by the individual taxpayer because of whether or not they have a trust and what they choose to do with the trust. The answer to the question is, yes, there will be a calculator and, yes, the RevenueSA website will be updated. As I said, the go-live date is no later than next Monday.

As I have indicated previously, there will be a communication program, advice to land tax payers in relation to the broad details of the changes, a connection to the RevenueSA website, a connection to the land tax calculator and other information, and also a hotline to allow people to telephone in with inquiries, which will be staffed from next Monday. There will also be an email service and people can email questions to RevenueSA staff.

Equally, there will be the offer, which we think will be taken up by a number of the professional organisations that represent accountants and/or lawyers, where RevenueSA staff will be available to provide professional advice to those who provide professional advice to land tax payers in relation to the details of the new legislative changes.

As the honourable member will be well aware, and I think the hardworking and long-suffering staff in his office will be well aware, not all the professional advisers, such as accountants and lawyers, well understand the current land tax system and, indeed, what were the proposed changes. Therefore, there is a significant need for a widespread communication and education program. The government acknowledges this and resources will be invested into providing advice to those who need to be aware of the new changes, which will be operational from 1 July next year.

### SA HEALTH

**The Hon. J.E. HANSON (15:02):** My question is to the Minister for Health and Wellbeing. Why can the minister afford \$0.5 million for more spin doctors when he can't afford an extra \$2 million for ICAC to investigate corruption and maladministration in SA Health?

**The Hon. C.M. Scriven:** Good question.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:02):** Well, the honourable Leader of the Opposition suggests that's a good question. That would show that she wants to associate with yet another day of embarrassing mistruths from the shadow health minister. Today, the shadow has been out talking about Liberal spin doctor increases, allegedly. First of all, let me



stop and reflect. The people we are talking about are not ministerial office staff. They are people engaged in the department as communication specialists. They are—

*Members interjecting:*

**The PRESIDENT:** Order! Allow the minister to answer.

**The Hon. S.G. WADE:** They have worked for governments of both political parties, both political persuasions. Apparently, before March 2018, they were valued members of the Labor team. Now they are open game for smears. This is the normal modus operandi of the opposition under the Leader of the Opposition and his shadow minister.

It is rather galling that they should be calling Health public servants spin doctors because they were, let me remind you, the last of a conga line of health ministers and shadow health ministers. Mr Picton and Mr Malinauskas might like to smear the people they left behind, but we, on the other hand, treat them with more respect.

So let me unpack the figures for you. Labor is comparing apples with oranges. They are comparing budgeted figures with actual figures. So let's look at the real figures. Under the budgeted figures in 2018-19, there were 46.5 communication specialists in the department. In 2019-20, it's 45.6 so, comparing apples with apples, there has actually been a reduction. I know that the Labor Party struggles with reading budget papers; they struggle even more actually applying budget papers.

But let me now take the Labor Party on the next step. The next step is called 'actuals'. So there is 'budgeted', they are the apples, and there are 'actuals', they are the oranges. Let me take you to the oranges. The Labor Party doesn't appreciate it but we budgeted in 2018-19 for 46.5 FTEs, and I am sorry, Treasurer, we only employed 41.1. So that's more than five FTEs below the budget. I know the Treasurer wants us to meet targets but I must admit that expenditure target is one that he would—

*The Hon. I.K. Hunter interjecting:*

**The Hon. S.G. WADE:** I have just told you the actuals for last year. I have just told you.

**The PRESIDENT:** It's not a conversation, minister. Deliver your answer.

**The Hon. S.G. WADE:** The truth of the matter is that under the Marshall Liberal government the communications staff has actually decreased by 10 per cent this year alone. Labor's credibility gets thinner and thinner by the lie. Unlike the former Labor government, which loved to have a PR machine trying to sell a dog called Transforming Health—they had mass mail-outs, they had shopping centre promotions, they had online advertising. What really cursed me is that even after the election they must have still been paying for these wretched Transforming Health ads because they kept popping up on my feed.

But anyway, then we had the shameful expenditure of—I think the figure was \$100,000—\$100,000 paid to the Australian Nursing and Midwifery Federation to promote Transforming Health. So don't talk to me about communications. We are not going to spend money on political campaigns. We are determined to drive better value for money for taxpayers' expenditure.

Let me tell you about some of the valuable work being done by these public servants. They do incredibly important work in providing information to the community and I want to highlight two of their campaigns. They had a very successful flu campaign this year and a very successful demand management ED campaign. The Flu Stops With You awareness campaign was developed in response to the high number of flu cases in South Australia in 2019, providing the community with information to help stop the spread of flu and other infections throughout the winter period.

The campaign achieved its objective of encouraging the community to change their behaviour to stop the spread of flu. The ads had an exceptionally high reach, with 65 per cent of all South Australians seeing at least one of the ads. The Treasurer, of course, is saying, 'What about the impact?' It's all well and good to see the ads but has it had an impact? Actually 80 per cent of those who said they saw the ad—

**The Hon. J.E. HANSON:** Point of order, sir.

**The PRESIDENT:** The Hon. Mr Hanson, a point of order. Minister, I have a point of order at the back of the room.

**The Hon. S.G. WADE:** You can't hear me?

**The PRESIDENT:** I can't hear.

**The Hon. J.E. HANSON:** The minister needed some air. But also a point of order, Mr President: what I asked was in relation to why he can't afford the extra \$2 million for ICAC to investigate maladministration and corruption. I am hearing a lot about what he can afford. I would just like him to get back to the other 50 per cent of the equation of the question.

**The PRESIDENT:** Minister, keep to the point.

**The Hon. S.G. WADE:** I was directly on the point. The point was: how can I find more money for communications and not more money for ICAC? Two points. I don't pay ICAC; that's a matter for the Treasurer and the Attorney-General. The second point is: I am actually spending less money, not more.

**The PRESIDENT:** A supplementary, the Hon. Mr Hanson.

#### SA HEALTH

**The Hon. J.E. HANSON (15:09):** Now that I can get a word in edgeways, do the communications specialists, or spin doctors, undertake any media management at all?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09):** Yes, that's what communications people do.

#### SA HEALTH

**The Hon. J.E. HANSON (15:09):** Further supplementary: why has the minister budgeted for an increase of 4.5 extra communications specialists worth \$570,000 in his own budget?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09):** I refer the honourable member to my previous answer. Let me try to save him the embarrassment by going back to his original question and addressing the issue about \$2 million.

First of all, as I said, the honourable Treasurer and the honourable Attorney-General make decisions about ICAC funding, but the government's fundamental position in relation to the ICAC is not whether or not in a multibillion dollar budget we can find \$2 million. That is not the point. We can't afford the ICAC proposed inquiry not because of the money but because of the delay and, in particular, undermining the drive for reform that is already underway.

We have KordaMentha. We engaged KordaMentha a matter of months after we were elected to government and that was significant in the context of the concerns that the ICAC commissioner had raised with myself and the Premier very early on in the government. We didn't say, 'This is all too hard. We can't afford to deploy resources to deal with mismanagement.' No; with the support of the Treasurer and the rest of the cabinet, we found \$20 million to start tackling the problem.

What the ICAC is proposing is that we should put the pause on all that and have a long inquiry, which I believe would distract and delay the important delivery reform. This government has chosen to get on with the job. We did independent reviews as soon as we were elected. Not only was there the KordaMentha work, but we also brought in independent people in terms of the EPAS disaster, another disaster under the former Labor government. We accepted the recommendations of the report, scrapped the EPAS disaster and we are rolling out a much more successful Sunrise electronic medical record system.

I think one of the most important elements of independence that we have injected into Health is actually the independence that you get through boards. Here we have people brought in from outside Health; people with commercial experience, legal experience and the like, who can act independently from the bureaucracy. We are committed—

**The Hon. J.E. HANSON:** Point of order, Mr President: I think we have drifted a fair way from the original supplementary, let alone the original question. We are now talking about boards. If he could wrap it up—

**The PRESIDENT:** Do you wish to go on, minister?

**The Hon. S.G. WADE:** Thank you, Mr President, I might well.

**The PRESIDENT:** Be mindful of relevance, please.

**The Hon. S.G. WADE:** I will take your hint, Mr President, and I will wind up. Let me just summarise it for the Labor Party people who are having trouble keeping track. We were elected after 16 years of your mismanagement. Within the first 18 months, we dramatically decentralised board governance and we rejected your centralisation of health care. I notice that your party, even in this parliament, continues to oppose that.

We also brought in an independent review to fix up your disaster in relation to EPAS and we also brought in an independent review through the KordaMentha process. We are committed to driving reform. We do not believe that it would be helpful to have a royal commission or an ICAC evaluation that would both delay and disrupt important reform processes that are underway.

#### SA HEALTH

**The Hon. J.E. HANSON (15:13):** Further supplementary to this extensive answer we are getting out of the minister, which is fantastic: the minister mentioned in his answer he is aiming to decentralise the health system. How, then, can he justify increasing the number of spin doctors or communications specialists he is going to employ if he wants to decentralise the health system?

**The Hon. J.S.L. Dawkins:** You lot have no shame.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:14):** I can only quote a famous member of the Legislative Council, who said, 'You have no shame.'

#### SA HEALTH

**The Hon. J.E. HANSON (15:14):** One further supplementary, and I would appreciate him actually answering the question: why is he doubling the number of spin doctors across our two biggest health networks when, at the same time, he is axing real doctors and real nurses from our hospitals?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:14):** I would love to tell the public health clinicians back at Citi Centre, 'You're not real clinicians.' They're getting important public health information out to the public about how to stay healthy during winter, how to avoid the spread of disease, but somehow they're just spin clinicians. Well, I'm sorry—vaccination, disease prevention, health promotion: these are all vital parts of both protecting lives and saving lives. I am not going to have public health campaigns trashed by a Labor Party that is completely focused on smearing both the people and the services that provide excellent health services to our state.

#### CHILDREN'S HEALTH SERVICES

**The Hon. J.S.L. DAWKINS (15:15):** My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on initiatives to help children during their attendance at hospitals?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:15):** I thank the honourable member for his question. The circumstances that lead somebody to attend a hospital by their very nature will often involve levels of anxiety or stress. This is particularly the case for children and that, in turn, impacts on their families. In recognition of this, SA Pathology services at the Women's and Children's Hospital have launched two very important initiatives to improve the experience of children going in for tests.

I am told that these are often blood tests, urine tests and biopsies. As I said earlier, these are daunting not just for the children but also for the family who come to support them. It was an absolute delight to be present recently at the launch of one of these initiatives, a partnership between the Women's and Children's Hospital, SA Pathology, San Diego Zoo and Adelaide Zoo. Thanks to

this partnership, children attending the hospital for SA Pathology tests will have access to a video channel that includes short videos about animals and close-up encounters with them, as well as quizzes and stories based around the animals and their environment.

Children's love for animals is evident in the books their parents read them and the TV shows they love to watch. This is a fantastic way to help children through what might otherwise be a difficult experience and, in doing so, lighten the emotional burden on their families, who have to care for the children and support them through their health journey. This initiative has been in use around the world following the launch of San Diego Zoo Kids in 2013 and is now helping children in over 230 hospitals and Ronald McDonald Houses in countries such as South Africa, Pakistan, the United States and Qatar.

Secondly, I would like to highlight a partnership in the waiting room for SA Pathology services at the Women's and Children's Hospital. There is a whole suite of new activities for children, again designed to reduce their anxiety and make their experience of their visit less overwhelming. The waiting room will welcome children with a walled playground, virtual reality goggles, an interactive LED floor, a Blu-ray player, new televisions and new toys.

These additions were made possible by a grant of \$40,000 by Variety SA. I want to thank them for their generosity in this donation as well as thank each individual donor for their generosity towards that total sum. Their contributions will make a real difference to children visiting the hospital and their families. Together, these two initiatives are making the hospital a more welcoming place for children, and I congratulate everybody involved in delivering them.

**The PRESIDENT:** A supplementary. The Hon. Ms Scriven was on her feet.

#### **CHILDREN'S HEALTH SERVICES**

**The Hon. C.M. SCRIVEN (15:18):** Minister, although these initiatives in pathology at the Women's and Children's are certainly very welcome, are there any reductions in scientists and clinicians of SA Pathology at the Women's and Children's Hospital and, if so, how many scientists and clinicians have been cut?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18):** I am happy to take that on notice.

#### **CHILDREN'S HEALTH SERVICES**

**The Hon. J.S.L. DAWKINS (15:19):** A supplementary from the original answer: the minister quite rightly mentioned the impact on families when children are under great stress during an attendance at a hospital. Can he elaborate on the moves to reduce the level of stress for parents and the pressure on their mental health, particularly in relation to the way they deal with the hardworking staff who manage the treatment of those children and the parents' attendance at the same time?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:19):** The honourable member quite rightly highlights another point, that the administration of these tests is anxiety producing not only for the child and for the parent but also for the staff. Forgive me for not recalling her name—I think her name might have been Wendy—but at the Adelaide Zoo launch there was actually the manager of the SA Pathology centre present. She spoke of what a difference it had made already in the clinic as a whole, in reducing the anxiety for staff. As you can understand, if you are a staff member holding a child while they are traumatised and distraught, that can be very upsetting.

The honourable member reminds me more of that conversation, too, because it's not just the child and not just the family and not just the staff; if you like, it is also the community. She was saying that, if one child escalates through being traumatised by a test, it will often, shall we say, set the room off. One child cries and it spreads like wildfire. I certainly agree with the honourable member: it's a benefit not just for the child but for the whole community.

*Bills***GENETICALLY MODIFIED CROPS MANAGEMENT (DESIGNATED AREA) AMENDMENT BILL***Committee Stage*

In committee (resumed on motion).

Clauses 2 to 4 passed.

Clause 5.

**The Hon. M.C. PARNELL:** Clause 5, I guess, is one of the operative provisions. It is the provision that effectively limits the operation of the moratorium on the commercial growing of GM crops to Kangaroo Island, and I thought that was as good a clause as any to ask the minister whether he has any comments or additions to make, or whether in fact he can answer the question that I posed in my second reading speech, which was in relation to drought tolerance and climate change. Is the minister aware of any GM crops that in fact are tolerant to drought or climate change on Kangaroo Island or anywhere else in South Australia?

**The Hon. D.W. RIDGWAY:** I thank the honourable member for his question. I have made a whole range of contributions in relation to technology, plant breeding and opportunities for genetically modified crops that will help with frost, heat stress and drought. That is why I said that we should not turn our back on that research, that it should be ongoing.

The current technology allows for people elsewhere in Australia to manage their production systems by using genetically modified canola. It gives them a chance to sow Roundup Ready canola when it is dry and then spray the weeds once it germinates. That utilises all the available moisture. Some years, that available moisture is lost because you have to control the weeds before you can sow. What we have already is a form of drought resistant GM canola because you are able to sow it dry and get the benefit of every drop of moisture that falls out of the sky, giving it to a newly developed crop.

Clause passed.

Clause 6.

**The Hon. M.C. PARNELL:** Again, I have a simple question on clause 6. Clause 6 inserts a new section 7A into the act entitled, 'Expiry of Part', which provides:

This Part expires on 1 September 2025.

What process does the minister envisage will take place ahead of 1 September 2025? By way of background, as some members would be aware, the most recent iteration of this debate occurred when we were coming up to the 1 September 2019 date because that was a date that was set out in regulations on which the moratorium would expire.

One of the reasons I was keen to bring this back to parliament—and I did so by virtue of the private member's bill—was that the way the regulations were drafted, no-one needed to do anything and the moratorium simply expired. My question to the minister is: are we now faced with exactly the same situation, that legally no-one need do anything and when that calendar rolls around to 1 September 2025, despite no action having been taken by the executive, by the parliament or by anyone else, the moratorium on Kangaroo Island would be lifted?

**The Hon. D.W. RIDGWAY:** We are replicating exactly what is in place now. It lapses in 2025, as the 2017 bill intended.

**The Hon. M.C. PARNELL:** No, I understand that that is what the government has done. My question of the minister is: if the minister was still part of government and if the minister, for example, was promoted from a tourism to an agricultural portfolio, what would the minister's intention be? I accept the legal situation that the moratorium evaporates on that date. Is that the way the minister proposes to handle the situation? Would the minister do anything ahead of 1 September or would the minister simply let the calendar take its course?

**The Hon. D.W. RIDGWAY:** I thank the member for his question. I may be a little ahead of myself. It is a bit hypothetical that I will be changing to the portfolio of agriculture and primary industries, but I thank the honourable member for his vote of confidence. An amendment has been tabled by the Hon. Frank Pangallo, which we will be addressing shortly, that talks about a review, and it is the government's intention to support that amendment. It may allay some of the honourable member's concerns.

Clause passed.

Clause 7.

**The Hon. F. PANGALLO:** I move:

Amendment No 1 [Pangallo-1]—

Page 3, after line 10—Insert:

6A—Substitution of section 29

Section 29—delete the section and substitute:

29—Review

- (1) The Minister must cause a review of the operation and impact of the amendments to this Act made by the *Genetically Modified Crops Management (Designated Area) Amendment Act 2019* to be undertaken.
- (2) A report on the results of the review must be submitted to the Minister no later than 3 years after the commencement of the *Genetically Modified Crops Management (Designated Area) Amendment Act 2019*.
- (3) The Minister must, within 6 sitting days after receiving the report, cause a copy of the report to be laid before each House of Parliament.

This amendment causes a review of the act to be undertaken in three years' time. Essentially, I think it is designed to give us some feedback on the success or otherwise of the introduction of GM plants in South Australia, to perhaps give us an indication of whether there have been any issues with non-GM growers, particularly with organics, and also to view the economic benefits and such of the introduction. It is also designed to give us an indication of how the exemption works on Kangaroo Island and, I imagine, whether there would be any calls for the exemption on Kangaroo Island to eventually be lifted.

Essentially, it is a call for a review, which needs to be submitted to the minister no later than three years after the commencement of the act, and the minister must, within six sitting days of receiving a report, present it to each house of parliament.

**The Hon. C.M. SCRIVEN:** I have a question for the mover. Who does he envisage would undertake the review? Would it be the department, for example, or some other body?

**The Hon. F. PANGALLO:** I imagine that the department that is responsible will undertake the review.

**The Hon. D.W. RIDGWAY:** We indicated earlier that the government is happy to support this amendment; however, just for clarification, I have a letter from the Hon. Anne Levy, Presiding Member of the Genetically Modified Crop Advisory Committee. A part of it states:

...if a decision is made to maintain the moratorium on Kangaroo Island only, the Committee recommends:

- that the Minister must be satisfied adequate consultation has been carried out with all Kangaroo Island producers;
- that consideration be given to any controls on movement of produce which may be necessary to support the Island's non-GM status; and
- that the moratorium on Kangaroo Island be reviewed after an appropriate time.

As I said, we already have an indication from the Presiding Member of the Genetically Modified Crop Advisory Committee, a former member of this place, the Hon. Anne Levy. I think that it encapsulates that it will be up to the minister to decide exactly who would do the review, but clearly that committee

is possibly one of the avenues that could be used and that is why we are happy to support the amendment.

**The Hon. M.C. PARNELL:** To make it quite clear, in relation to just about every piece of legislation that we have debated, when someone slots in, or seeks to slot in, a clause, usually towards the end of the bill, stating that we should have a look at this in a few years' time, the Greens' position has nearly always been to support such review clauses.

I note that the honourable member's review is not explicit as to who or how the review should be conducted. The Hon. Clare Scriven asked a question about who the mover thought might be appropriate. The words simply are, 'The Minister must cause a review'. That review could be thorough. It could be quick and dirty. It could be credible. It could be incredible. We do not know. Nevertheless, the Greens' position has always been to support a review when the bill as drafted has no review, so we will line up and support the review clause as well.

However, given that we are marching rapidly through this bill—there has not been a lot of debate in committee—I might also point out that there has been a lot of discussion in recent days about whether other parts of South Australia might want to take advantage of the moratorium. Certainly, the discussion on radio this morning with the Leader of the Opposition alluded to that. My discussion with some local members indicated that they are concerned their areas might want to hang onto the moratorium.

But we are dealing with this bill with great speed and there has been no real opportunity for any members to consult with people in the regions about whether the moratorium should stay or go in their region. That is one of the reasons why I thought the most sensible approach to this bill would be to not conclude it today but to conclude it next year, when people have had a chance to have those conversations. I absolutely accept that.

We do not have anything before us by way of amendments other than this one, which relates to the review. The Greens' position is still that this would be preferable. The government is going to make a call very soon as to whether they put this to a third reading and test the will of the chamber. The Greens' position is that we will be opposing the third reading. That is not going to surprise anyone, but that is what we are going to do.

I know some members have been in discussions with the minister to see whether any further amendments might be possible. I am not aware of the success of those discussions. I know, for example, that there has been talk about the issue of the liability of the GM industry towards those this would harm. We know that it will result in harm. It is inevitable; it has happened elsewhere. I do not know whether those discussions have gone anywhere.

As I mentioned in my second reading contribution, I have moved, four times, for strict liability legislation; that is, legislation that says that if someone suffers harm as a result of GM contamination of their land, then they have a right to compensation but they should not have to sue their neighbour. They probably would not know which neighbour was the source of the contamination. If you have an organic canola crop and you are surrounded by GM canola and your contamination levels rise from zero to 0.9 per cent and even higher—if you lose money, which of your neighbours do you sue? What an outrageous, terrible situation in which to put a farmer—having to sue their neighbours.

The Greens' bill, which was introduced four times since 2007, was to make the owners of that material (such as Bayer-Monsanto) responsible for contamination so that farmers did not have to sue other farmers. That issue is still absent from this legislation. The only protection in the bill is to supposedly deal with a similar situation to that which occurred in Canada, where a farmer inadvertently grew GM crops because of contamination and was sued by the patent owner for something they had never intended to do.

There is an existing provision that seeks to address that. Of course, it has never been tested; however, the bigger issue is the person who suffers loss and has nowhere to go. I think that is something we should deal with over summer as well. I thought I would just put those things on the record now because we are rapidly marching to the end of this bill. The Greens' position is that if a motion to adjourn were put, we would absolutely support it and would want the adjournment to be for next year. If that is not the case, then we will be opposing this bill at the third reading and we would

be looking for an opportunity to make some brief remarks at that stage as well, just in case this bill progresses at a very rapid pace.

**The Hon. J.A. DARLEY:** For the record, I will not be supporting this amendment.

Amendment carried; clause as amended passed.

Schedule 1.

**The Hon. R.P. WORTLEY:** I was not here for this morning's debate, but I cannot for the life of me understand why on earth we are going to sacrifice our state's clean, green image for a few farmers who have obviously been conned by the food industry—

**The Hon. D.W. Ridgway:** A few farmers?

**The Hon. R.P. WORTLEY:** A few farmers, and I will tell you why I know. I understand what mass movement is about and I have not received one email from a farmer regarding wanting to lift this moratorium. I have not seen a rally on the steps of Parliament House. I saw a picture of about eight or nine farmers with the Hon. Mr Whetstone from the other place, and that does not represent a mass movement to have our—

*The Hon. J.S.L. Dawkins interjecting:*

**The Hon. R.P. WORTLEY:** I am talking, the Hon. Mr Dawkins, if you do not mind. This does not represent a mass movement. The only people who in the long term are going to be happy about this legislation are the people of Tasmania, which will then be the only state in this country that has a moratorium on GM food. It has been put to me by a number of sources, and just by doing some research, that some of the markets out there do pay a premium for non-GM food, including China, the European markets and some in the Americas. I have seen figures where there seems to be a 10 per cent premium on non-GM food.

I think we are being too hasty in lifting this moratorium and what we will see in the future are farmers suddenly waking up to the fact that that moratorium has been lifted and there will be a significant backlash on the Liberals opposite, in particular the Hon. Mr Whetstone, for lifting this moratorium.

Schedule passed.

Title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:42):** I move:

That this bill be now read a third time.

**The Hon. C. BONAROS (15:42):** I have a contribution that I will make at this point. I say at the outset that we support the position just put by the Hon. Mark Parnell that the only way forward in this debate at this point in time is either that the bill is adjourned or we vote on the third reading. Can I say this: I cannot, in good conscience, stand up in this place and support bad lawmaking—I simply cannot do that. I did not on gambling, and I will not on this.

When we create laws that will benefit one group of farmers and at the same time not only potentially impact on another but blatantly and wilfully legislate to do so, then that is not good lawmaking; in fact, it is terrible lawmaking. I know there will be many, many farmers angry today, but my question and what I ask of them is: what if the shoe were on the other foot? What if the government was proposing to take away their livelihoods without any protections afforded to them? Why did you oppose the mining bill so loudly? Why are you opposed to fracking? Because not only is the government forcing those mining rights upon you, it is rendering you completely powerless at the same time. This scenario is no different.

In this case, if your business suffers, if it folds through contamination, there is (a) no going back, and (b) you will not be afforded any protections under the law—none. This is precisely what we get when you—and this is directed at the government—propose half-cocked proposals without



any regard to the groups that you seek to disenfranchise. The Treasurer may not be legally trained, as he reminds us in this place often, but I am, and a number of others are. I will not be a part of the deal that serves to disempower one group over the other. Let me make it crystal clear for the record that I support any farmer's right to choose, but not at any price and not when it comes at such a high price—not unless and not until that playing field is evened.

The divide amongst our farmers through this debate has never been greater, and the same can be said for the divide in this place, but for very different reasons—very different reasons indeed. I am not opposed to GM crops per se

*The Hon. T.J. Stephens interjecting:*

**The Hon. C. BONAROS:** Choke as much as you like, the Hon. Mr Stephens. In fact, just yesterday I had a discussion with an expert far more experienced in this field than me and than most of us. He mounted a very compelling case that I agree with entirely. We consume GM each and every day: we eat it, we feed it to our babies via baby formula, we wear it in clothing made from GM fabrics, we vaccinate ourselves and our children and we treat our diabetic family members with insulin. There is no disputing that, and there is absolutely no disputing the place and the role that GM has in our society.

The list goes on and on in terms of the GM products that we consume every day. I fully accept that, and I accept that there are very valid reasons and a very valid basis for GM products, but that is not the question that we are debating now. I am not opposed to GM, the Hon. Mr Stephens, perhaps for the same reasons as other honourable members. That said, as the Hon. Mark Parnell has pointed out very clearly and articulately for the record, once the genie is out of the bottle there is no going back.

This is a decision which, for more than one reason, there is no going back from. I will not be responsible for businesses potentially folding because we will not afford them the protections they not only deserve but should be entitled to in law. There are precedents right now that deal with that very issue—not because GM is bad but because our laws are bad. When governments attempt to introduce laws that undermine people's legal rights, alarm bells should ring amongst all of us—mine are ringing and have been ringing loud and clear.

I have made it abundantly clear to the minister that he could sit down and discuss those issues. I have spent the entire day today, in the time frame given to us, doing precisely that; we have focused on nothing else but that. However, the response received back has not been one that I am willing to accept. I cannot, in good conscience, support the position that minister Whetstone has put to me in this debate.

Perhaps where I differ from my colleague the Hon. Frank Pangallo—and I say this with some qualification because I agree with what the Hon. Frank Pangallo has said on the record—is that I do support extending the olive branch and indicating clearly the desire to work on this issue in a bipartisan approach. It is the most effective way to deal with divisive issues. It is exactly what we did in the instance of Gayle's Law. The message in that case was loud and clear. We were all forced back to the negotiating table and we came up with a position that everybody could agree to.

That is precisely what we ought to have done during this debate. I think it is the only decent proposal to come out of the Leader of the Opposition's mouth in relation to this debate in recent weeks, to be frank. We are all open to sorting through the mess that the minister—not anybody else, the minister—has created in relation to this debate. One can only hope that it serves as a valuable lesson. I might live in hope, but I certainly do hope that.

What I do not accept—and I refer these comments to the members opposite—is those members of the opposition who support the lifting of the moratorium hiding behind the vote of other members in this place, trying to hold one member responsible for the ultimate vote on this piece of legislation. My advice to them, and to everyone else in here who does not have the courage to stand up and put their opinion on the record, is: grow a backbone and stand up for what you believe in. If that means you have to cross the floor to make your position clear, then do so, but do not attempt to use others as your political pawns.

It is fair to say that my colleague Frank Pangallo and I have had many discussions on this issue. We have thrashed it out more than I care to think about. We have been through the pros and cons. We have not shied away from the debate. In fact, short of calling our bluff, as was suggested in the media this morning, we urge the government to introduce a bill and put it to a vote instead of using stealthy backdoor means to achieve their goals, because that is precisely what the government attempted to do in the first instance.

When I had those discussions with minister Whetstone, I said to him, categorically, 'If you want a favourable outcome, then make sure that everyone is involved in that process, make sure that you have a proper debate and make sure that you take into account all the concerns that have been raised by every single sector involved in this debate.' He has failed in that regard.

I say to the minister, 'You haven't called our bluff. You've been forced to do what you should have done in the first instance by bringing this bill before the parliament. What you have failed to do since then is to ensure that it is dealt with with the respect that it deserves—again. You have failed again to ensure that those individuals who stand to lose in this debate are protected.' There will be individuals who stand to lose in this debate, and we have done nothing to ensure that they are afforded appropriate levels of protection.

If, as this government has become accustomed to doing, they are not willing to entertain amendments that will address those shortcomings, if they are not willing to entertain amendments that do not suit their political agenda, if they are not willing to entertain amendments that everybody else could compromise on—perhaps with the exception of a few; no-one in particular, but perhaps with the exception of a few—on the issue of GM, then they will do so at their own peril.

I am genuinely sorry that this debate has resulted in the action that we have chosen to take, but only insofar as it relates to more uncertainty. That uncertainty, can I say, has not been created by anyone other than the minister in this situation, and I just hope that he receives the message loud and clear—crystal clear, in fact—that we are all willing and able in this place to work through this with the government.

We have indicated that, the Greens have indicated that and the opposition has indicated that. They have done that publicly today in the media. You might not take the Leader of the Opposition at his word, but I think that the commitment he has given today is one that he cannot back away from easily. I think he has backed himself into a corner in terms of saying, 'We're willing to talk to you and come up with a position that we can all agree with, just like we did when we dealt with Gayle's Law in this place.'

That is my take-home message to the minister, and I hope that he does hear it loud and clear, because if, again, there is any uncertainty—any uncertainty—amongst our farming communities that is going to be created as a result of today, then he has himself to blame and absolutely nobody else.

**The Hon. R.I. LUCAS (Treasurer) (15:53):** I have not contributed to this debate, but I intend to do so on the basis of that particular contribution and others that I have heard during the third reading. Let's be quite clear here: if people in this chamber are indicating a willingness to adjourn the debate, or an intent to adjourn the debate, they are just mealy-mouthed words to kill the bill, because quite clearly, as the Hon. Mr Parnell has indicated, his preference and his strong position—and I respect the fact that he has nailed his colours to the mast on this issue—is that he does not believe in the bill or the principles behind the bill, and he wants to see the bill defeated. His second preference is to kill the bill in another way, by adjourning it off to next year or whenever it might happen to be. He made that clear in an earlier contribution—

**The Hon. M.C. Parnell:** It does not kill it. That allows time for negotiation. That is what that does.

**The Hon. R.I. LUCAS:** Well, there is no negotiating with the Greens in relation to this particular issue in any way that will see a bill that is acceptable to the government and to the farming community in South Australia. Let's be quite clear that any motion, any attempt or any endeavour to adjourn this particular debate is nothing other than a mealy-mouthed attempt, thinly disguised, to kill this bill and to reject the position of the farming community, the grain producers and the others, who

put their position very clearly in support of the legislation. Any endeavour to adjourn this bill off in any way is an endeavour to kill this bill and to stop it progressing.

The only reason why the Hon. Mr Parnell and the Greens will support that particular position is that they see it as a vehicle to achieve their aim, that is, not to see this legislation pass this parliament. If they cannot get the numbers to defeat the bill outright at the third reading, their next best endeavour is to adjourn it off to another day so that they can try to mount the forces to oppose the legislation.

I reject strongly the position the Hon. Ms Bonaros has just put. The Hon. Mr Pangallo has been an outspoken supporter and advocate on social media publicly of those farmers who have been running a social media campaign. He has been retweeting their messages. I know he has been indicating to members of the farming community his support for the legislation. He has made his position quite clear. If this is to go to a vote either to kill the bill through the alternative mechanism to vote for an adjournment or for it to be voted down at the third reading, let's be clear in relation to what is going to occur on this occasion, and that is ultimately a judgement call for each individual.

As I said, I at least acknowledge the position of the Hon. Mr Parnell but not the mealy-mouthed position of the Labor Party on this particular issue. I do not accept the genuineness of the position of the Leader of the Opposition in another place. Again, he is just trying to keep the opposing forces within his party together on this particular issue because it is a divided party. The member for Mawson is holding the rest of the party to ransom—we all know that in relation to this particular issue—with threats of leaving the party, going independent, or whatever it might happen to be.

That is an issue for the Leader of the Opposition. I do not accept the genuineness of his position. If this vote is adjourned off, he is not looking for a process seeing a solution to this: he is trying to resolve a political problem that he has with the member for Mawson on this issue. There are any number of members of the Labor caucus who have openly said in the corridors of this place that they support the legislation and that they want to see the passage of the legislation.

The Hon. Ms Bonaros has raised the issue of potential amendments and has been quite critical of my colleague the Minister for Primary Industries. I want to indicate on behalf of the minister and the government why we have been unable to agree to what we believe is a completely unacceptable amendment that the Hon. Ms Bonaros wanted the government to support. She has been quite critical of the minister in saying that he was not prepared to compromise and negotiate. The amendment, which was provided to the government, was in two parts. In the first instance, it provided:

A person who proposes to cultivate a genetically modified food crop...must give notice of the proposal to the EPA before cultivating the...crop.

After that, a notice would be issued identifying the land on which the crop was proposed to be cultivated, given within a period before the proposed cultivation of the genetically modified food crop specified by the EPA, and must comply with any other requirements of the EPA before they can go ahead. It continues:

On receipt of a notice under subsection (1), the EPA must, as soon as reasonably practical, have an authorised officer inspect the relevant land, and any land surrounding the relevant land that the authorised officer considers it necessary to inspect, for the purpose of assessing whether cultivating a genetically modified food crop on the relevant land may give rise to a risk that GMO may spread from the relevant land to a crop (not being a genetically modified crop) on other land.

There are some complicated provisions, and I do not intend to read all the rest of the first part of the amendment but, in the end, there are significant penalties if the EPA serves a notice on a particular farmer:

...the authorised officer may serve on the proponent a notice prohibiting the proponent from cultivating a genetically modified food crop on the relevant land until further notice.

In essence, the EPA has veto right or ultimate power in relation to whether or not a farmer could go ahead with his or her crop and could issue a prohibition notice.

One can just imagine what the farming community would think of the whole notion of having the EPA let loose in this particular area, having them as the ultimate arbiters of whether or not a farmer could go ahead with a genetically modified crop. Certainly, in the discussions we had today with representatives of the grain producers' association they made it quite clear that it would be unacceptable to the farmers of South Australia. It is unacceptable to the Liberal Party, it is unacceptable to the government and it is unacceptable to the minister in relation to these particular proposals and the penalties that would ensue from that.

The second leg of the amendment was in relation to a request for a crop inspection. That is, 'A person who cultivates any crop for fee or reward...may request a crop inspection under this section.' So under this section a person can ask the EPA to do a crop inspection in a manner and a form determined by the EPA and the EPA would then do that inspection:

An authorised officer [of the EPA] may exercise any power of an authorised officer under section 87 of the Environment Protection Act 1993 for the purpose of determining—

- (a) whether GMO is present...; and
- (b) the likely source of the GMO; and
- (c) whether the presence of the GMO in the crop is likely to detrimentally affect the value of the crop,

The officer may exercise any relevant powers, etc., in relation to this purpose. Then:

If, having completed a crop inspection...and found the presence of GMO in a crop, an authorised officer is satisfied that particular land is likely to be the source of the GMO in the crop and that the presence of the GMO in the crop is likely to detrimentally affect the value of the crop, the authorised officer may serve on the owner of that land a notice—

- (a) requiring the owner to pay a specified amount of compensation to the person who requested the crop inspection within a period specified in the notice; and
- (b) notifying the owner of their rights of appeal under this section.

Then they could take it to the ERD Court in relation to their right of appeal.

In broad terms—I will not read the whole of the three pages of the amendment being canvassed—it would make this legislation completely unworkable for the farming community of South Australia. If this is the price of getting the legislation through, you may as well defeat the bill. If you want to defeat the bill, defeat the bill. Stand up and say, 'We don't support the bill,' but don't say, 'We support the bill if you agree to all these amendments, and if you don't agree to all these particular amendments, we'll stand up and criticise you because you're not prepared to compromise on this legislation,' etc.

We are not prepared to compromise, the government is not prepared to compromise, on the essential principles that underpin the legislation. There is no point in saying, 'Okay, we are going to allow it,' and then construct a whole process and procedure that involves the EPA that would, in essence, destroy the very fabric and essence of what the legislation is about. This is, again, just a thinly veiled attempt to defeat the bill through another mechanism, through another course, and then stand up in the chamber and say, 'Well, the minister has been intransigent and has refused to compromise in relation to the legislation.'

The minister is obviously not able to speak for himself in relation to these issues. There were genuine endeavours in trying to reach some sort of a compromise throughout today in relation to the amendment but, in the government's view, the essential principles of this legislation had to remain. Whilst not all the farmers will be aware of the nature of the amendments being proposed, I am sure their representative association will be able to indicate to its membership, and to the broader community, the reasons the government, on their behalf, could not accept this thinly veiled attempt to defeat the whole purpose of the legislation.

It was not intransigence, it was not a reluctance to compromise, it was not arrogance from the minister, it was a genuine endeavour to say, 'Okay, what can we do to see this legislation passed?' But, in the end, the price that was being asked of us by the Hon. Ms Bonaros was unacceptable to the government and, more importantly, it was unacceptable to the groups that represent the farmers of South Australia. These are the people who have been running that social media campaign who have been effectively supporting this legislation for a number of weeks now—

months, I guess, and years in some cases; for a long period of time. For the government to have rolled over and accepted this particular amendment in the interests of saying, 'Okay, we got the legislation through, albeit we have had to agree with some unacceptable compromises as part of it,' was a price too high to pay from the government's viewpoint.

That is the reason that the government was not prepared to compromise on the principles of the legislation. As I said, have the courage in this chamber one way or another: either vote for the bill or vote against it at the third reading, but do not try the mealy-mouthed way of going around it by voting to adjourn it, because we all know, the farmers of South Australia will know and the grain producers will know that a vote to adjourn the bill is just a vote to kill the bill in another way.

**The Hon. J.S.L. DAWKINS (16:05):** I had not intended to speak on this legislation because I think my views have been put fairly strongly in previous contributions on the report of the select committee and on the disallowance motion, and both of those very recently. I speak as one of I think only two people in this place who have actually been practising farmers, so I bring the fact that, of the overwhelming number of farmers I know, I have had no farmers tell me that they do not want this legislation. That does not mean that there are not some—

**The Hon. C. Bonaros:** I have had plenty.

**The Hon. J.S.L. DAWKINS:** I see plenty of them. They have told me that this is absolutely what South Australia needs: the choice for them to do this. There is overwhelming support for that.

I think the proposal brought by the Labor Party today is ludicrous. It is the sort of position where you have to try to stall it so that you can eventually try to nut out the problems they have, because so many of their members I know in their hearts support this bill, but they cannot bring themselves to do it because the member for Mawson and maybe one or two others are holding them to ransom.

I totally support the bill. I will conclude by saying something I have said a couple of times before in this place—the Hon. Mr Parnell read out something earlier on which tries to say that no-one is using GM canola in Victoria or in other states.

**The Hon. M.C. Parnell:** I didn't say that.

**The Hon. J.S.L. DAWKINS:** You read something out that says there was no demand for the seed and that there was only one site in each state for segregation. You read that out on the record. I said recently that if you want to drive through West Wimmera—and the Hon. Mr Parnell knows that part of Victoria quite well—at this time of the year, there are thousands of acres of canola and, as I said before, my organic farming friends who live a bit further east will tell you that that is 100 per cent GM canola. I just think that the perception that no-one is wanting to grow this stuff is a lot of rubbish. I support the bill.

**The Hon. F. PANGALLO (16:08):** I have to say that I am extremely disappointed in many respects about the government and the way they have handled this.

*The Hon. D.W. Ridgway interjecting:*

**The Hon. F. PANGALLO:** The Hon. David Ridgway can mock, but this has always been about making sure that there has been ample time for legislation to come in—which is what we wanted—and for it to be properly considered by the parliament. Instead, it was rushed through. It was rushed through with a bill, and we had very little time to consider it and to consider the amendments.

I am pretty disappointed in the fact that the Minister for Primary Industries, the Hon. Tim Whetstone, is not even here today for such a vital piece of legislation that he wants to hang his hat on. Instead, he has chosen to attend a ministers' conference in Moree in relation to the drought. That is not downplaying the drought at all, but I—

*The Hon. D.W. Ridgway interjecting:*

**The Hon. F. PANGALLO:** Well, it is not—but I would have thought his priority would have been here for this vital piece of legislation. What really disappoints me is the fact that SA-Best is the friend of farmers, and we have said—

**The Hon. T.J. Stephens:** Well, Frank, we are about to see, aren't we?

**The Hon. F. PANGALLO:** Yes, you are. Mr Stephens, you are about to see how, again, you have let farmers down by your inept attitude towards legislation. You let them down with the mining bill. You have let them down with that and now you are letting them down with this.

**The Hon. R.P. Wortley:** We are friends of the farmers.

**The Hon. F. PANGALLO:** Well, we are, and we always made that quite clear. I have made it quite clear throughout this whole debate. I think all the farmers know that because I have supported them all the way through.

*The Hon. T.J. Stephens interjecting:*

**The Hon. F. PANGALLO:** You heard my speech, Mr Stephens, and it was quite strong in support of lifting the moratorium. All we are seeking to do, and what my colleague is seeking to do, is to get some protections and a level playing field for other growers who do not want GM and may be impacted by it. They may be impacted by the effects of contamination or having an avenue to be able to seek some kind of recourse for any losses, loss of reputation—or whatever it may be—but to have that mechanism in place.

I understand that in Western Australia they looked at ways of having some form of compensation built in for those non-GM growers who may well have been impacted by all this. In good faith, we have negotiated with the government on this bill.

*Members interjecting:*

**The Hon. F. PANGALLO:** Well, in good faith we have negotiated with this government, particularly on a proposal that my colleague the Hon. Connie Bonaros has put up to the minister. We have been speaking with him all day. Whilst we are willing to accept the first part of the provisions and to let the offending parts go, we certainly wanted some protections up there, and they knew that. We wanted some protections for these growers, and they said that they were going to get back to us this afternoon. We heard nothing—we heard absolutely nothing.

**The Hon. R.I. Lucas:** That's not true; we told you we wouldn't support it.

**The Hon. F. PANGALLO:** You won't support it. You were going to come back with something and you did not come back with something. From SA-Best's point of view, this is not a mealy-mouthed attempt to try to kill this bill. We do not want to kill this bill at all. We want to ensure that these growers in South Australia who choose to get GM, or those who want to stay without GM, are on a level playing field and that at least they are not going to be disadvantaged, whether they are on the mainland or even on Kangaroo Island, and that is what we have tried to do.

I do not want the farmers to feel that they have been let down by us—because they have not. We have been very willing to get this bill through but we also wanted to build in protections that the government does not want. I cannot understand why they do not want to ensure that the growers do have an inbuilt protection for them.

The Treasurer was going on about not having the EPA go marching in like the Gestapo on properties to inspect and to see whether there has been any contamination of GM or not, or whatever. Your NRM already does that. In fact, they almost behave like Gestapo from what farmers have told me about the way they behave.

**The Hon. D.W. Ridgway:** You want more of that.

**The Hon. F. PANGALLO:** No, we do not want more of that. The Hon. David Ridgway is conceding that your officers behave like Gestapo. Is that what you are saying?

**The Hon. D.W. RIDGWAY:** No, you want more of what you said you talked about.

**The Hon. F. PANGALLO:** What I am saying is that the government has really let down the farmers by the way they bungled and botched this legislation. What is disappointing is that we have come to the last hurdle and they have just totally raised the bar again to trip themselves up. You have tripped yourselves up on this. Again, you should take blame for letting down those farmers who were expecting something.

We were there to assist the farmers, big and small. That is what we were there for. We were there to assist them all and also give them some protections in case something happened. But, no, I think what we have had is a government that has been prepared to play this poker style bluff game all the way through, and they have done it again today by ignoring getting back to us and at least trying to come to a compromise so this can get through.

If we are going to keep upping the ante, I am going to up the bet on the Treasurer in this game of one-upmanship and say that we still have a couple of days that you can call up so parliament can continue to sit. So I challenge you, Treasurer, to sit for another couple of days and see if we can come up with a compromise to get this bill passed. With that, I will be moving for the bill to be adjourned.

**The PRESIDENT:** The Hon. Mr Pangallo, you cannot move an adjournment because you have spoken. Mr Hunter has sought the call.

**The Hon. I.K. HUNTER (16:16):** I rise, I have to say, with a bit of sadness that we have come to this sorry pass at this end of the debate, particularly with the contribution of some honourable members not being what I had hoped it would be in addressing the issues of the legislation but in fact trying to take down a man or, in this case, a woman with some spurious arguments, to my way of thinking. The contribution of the honourable Leader of the Government in this place was not the contribution of a statesperson, it was not the contribution of a leader and it certainly was not the speech that you would give if you were trying to get an outcome in terms of a compromise resolution to this situation. That saddens me.

He seemed like he actually was very proud that he was not going to compromise, that he was actually very proud that the government were so arrogant that they would not talk to any other person with a different position to get a settled, compromise position that might be supported on the floor of this chamber. From that perspective, it is sad. That is what they do every day that we are in here. The government do not have the numbers in this chamber. They compromise on legislation, they negotiate with the opposition, they negotiate with the crossbenchers and they get a settled outcome that most of us can live with.

That was not the vibe that the Treasurer wanted to leave us with today. It was more threats. The velvet glove that he normally wears when he is negotiating with us had come off pretty quickly, and we felt the fist come whistling through this chamber with not too subtle threats about the future. That makes me sad, too, particularly that the government has been so maladroit in handling this legislation, so arrogant—that its position is the only way or it is the highway—that this was always going to be the outcome. That is always the outcome in a place like this when there is a contentious issue that needs to be negotiated through this chamber, and the government said, 'On this one, we're not doing that.' That saddens me too.

The Leader of the Opposition today made a very public, genuine and sincere offer to work with the government and the crossbenchers over the break to come up with a resolution.

*Members interjecting:*

**The Hon. I.K. HUNTER:** He is sincere. He is genuine; otherwise, he would not have said it on the radio.

*Members interjecting:*

**The Hon. I.K. HUNTER:** He would not have said it on the radio today and made that public commitment. I appeal to the government to take advantage of the offered solution from the Leader of the Opposition to deal with the crossbenchers and the opposition over the summer break and see whether we can come to a position within a policy that is implemented in legislation that we can all agree to early next year.

That is my plea. That is what I ask the government, in considering its position, to do. Whether the debate is adjourned or killed off at the third reading makes no difference—I agree with the Hon. Mr Lucas on this. The government will need to come back to this chamber with a new position that at least we can get some common ground on if we are going to make any progress in this legislation and on this issue.

**The Hon. M.C. PARNELL (16:19):** I will make a brief contribution at the third reading. I agree with what the Hon. Ian Hunter has been saying. The Hon. Rob Lucas' contribution was, to put it in the most generous terms, unhelpful. Basically he is saying, 'It's my way or the highway.' He was offered an olive branch by other parties—not by the Greens. We think that South Australia is best served by keeping the moratorium and that is our consistent position. He was offered an olive branch by others and he has rejected it out of hand, so there is no option for an adjournment. He has challenged us to vote it down at the third reading, and I think that is what the Legislative Council should do.

I want to put on the record my disquiet with how the Treasurer dealt with negotiations that other members have been having with the minister. My understanding was that the Hon. Connie Bonaros negotiated with minister Whetstone in good faith only to have that effectively thrown back in her face and for the Treasurer to explain in some detail how silly the honourable member's amendments were.

That is no way to undertake negotiations. I understand exactly where the Hon. Connie Bonaros was coming from. She was seeking, in good faith, to get protections for people we know will be contaminated by GM crops, if they are allowed to be grown. So, to have that thrown back in your face, I would be as angry as she is over that.

In this case, I think the government is a victim of its own arrogance. People have offered to help them. The Greens have only two votes in this chamber and our position is known. Other members offered to work with them and they have rejected that. The only real option left for us today is to vote against the third reading of the bill.

Whilst it has never been officially announced, everyone's expectation is that parliament will be prorogued and will be back in February for a new opening, and I expect the government will come back with something. I urge them not to come back with something unless they have negotiated in good faith with those who have expressed themselves to be open to that approach; otherwise, the government will end up in exactly the same position they are in today.

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (16:22):** I will sum up the third reading debate. It should not be lost on honourable members that the government has sat down and worked with Grain Producers SA, the peak body, the group whose members have their livelihood invested in this part of our economy, our broadacre dryland farming. They are the people we have negotiated and worked with.

You have to understand that modern farming systems want to be able to make a choice, as I said earlier in my contribution. They do not want more bureaucracy and more legislation. Farmers need to be able to make decisions. All the proposals—the ones from the opposition leader involving various councils and the Hon. Ms Bonaros' amendment with the EPA and authorised officers—are unworkable.

There was an alternative amendment from minister Whetstone, who is doing good work in Moree with all the other ag ministers and primary industry ministers in relation to the drought. He looked at it. There was an alternative amendment that gave increased protection for Kangaroo Island, but that was not acceptable to the Hon. Ms Bonaros. It is not the government rejecting this. We actually compromised. We looked at how we could get more protection for the area that we all agreed should remain, at this point in time, GM free. We were happy to have a review. The Hon. Mr Pangallo made the suggestion of a review after three years and we were happy to do that.

The Hon. Ms Bonaros talks about businesses that will fold. I have been here 18 years (a bit longer than the Hon. Mark Parnell) and, apart from the one case in Western Australia where, in the end, the court found against the non-GM grower, I do not know of any business—and I stand to be corrected—in Victoria, New South Wales or Queensland that had to fold because GM canola and GM crops were allowed to grow. In fact, in New South Wales and Queensland, where they grow cotton, it has enhanced their productivity.

I do not know of any businesses that have had to fold. It is interesting that the Hon. Ms Bonaros said that businesses stand to lose. I do not know of any in the nation that have, especially in the Eastern States. I have heard of one farmer and former friend—not former friend, they are still a friend—who lives on the Victorian border, who does not want to have GM.



The Hon. Mr Wortley interjected earlier saying that people have not been listening to everybody. We have been. But this is about choice. It is about choice, and the Liberal Party is very proud, the government is very proud, to say that we are happy to support our farming sector, Grain Producers SA, the peak body, and all those amazing young men and women who are prepared to put their names to the campaign.

I think that is the future of agriculture in South Australia. Often we hear the statistics that the average age of a farmer is getting older. Nearly all those people are in the prime of their life wanting us to give them the freedom to make choices about how they run their businesses. The Hon. Mr Hunter said that he is saddened about some of the things. I am saddened, as I have said before, that 22 people, of whom only two of us have ever really had an interaction in agriculture—and I have been out of it now for more than a decade—are going to make a decision today. If we vote down this bill, those who vote against it will be held responsible by the farming community for taking away the choice.

That is all they want: the choice to go about their business, adopt the latest technology and make a fist of their businesses in a pretty tough environment. South Australia has always been the driest state on the driest continent on earth. Our dryland farmers do a magnificent job. We want to give them the tools to keep doing that job. Clearly, members in this chamber do not want that to happen. I urge all members to support the bill.

The council divided on the third reading:

Ayes ..... 8  
 Noes ..... 11  
 Majority ..... 3

AYES

Darley, J.A.  
 Lee, J.S.  
 Stephens, T.J.

Dawkins, J.S.L.  
 Lucas, R.I.  
 Wade, S.G.

Hood, D.G.E.  
 Ridgway, D.W. (teller)

NOES

Bonaros, C.  
 Hanson, J.E.  
 Pangallo, F. (teller)  
 Scriven, C.M.

Bourke, E.S.  
 Hunter, I.K.  
 Parnell, M.C.  
 Wortley, R.P.

Franks, T.A.  
 Ngo, T.T.  
 Pnevmatikos, I.

PAIRS

Lensink, J.M.A.

Maher, K.J.

Third reading thus negatived.

**RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 12 November 2019.)

**The Hon. R.I. LUCAS (Treasurer) (16:31):** I thank honourable members for their contributions to the debate. My understanding from recent discussions is that there is now support for the legislation as it stands without any amendments and I thank honourable members for that indication.

Bill read a second time.

*Committee Stage*

In committee.

**The Hon. R.I. LUCAS:** Can I just indicate that, from recent discussions that have gone on, and I will leave it for the Hon. Mr Darley to indicate in relation to his amendments, I understand that he might not be proceeding with his. I am also indicating that the government is not proceeding with one of its two amendments. We are proceeding with the amendment to clause 5, which, again from recent discussions, I am advised is to be supported by all in the committee. There are two amendments to clause 5. I do not intend to move amendment No. 1 [Treasurer-1], but I will proceed to move amendment No. 1 [Treasurer-2] to clause 5, for the benefit of the committee.

**The Hon. J.A. DARLEY:** I confirm that I will not be moving my amendments.

**The CHAIR:** I take it that the Hon. Mr Darley will not be moving amendment No. 4 [Darley-1]. I think that is the one we have.

Clause 1.

**The Hon. R.I. LUCAS:** My understanding, and my advice, was that there had been an agreed position in relation to this, but the Leader of the Opposition has just indicated that is possibly not the case in relation to the Labor Party's position. We can explore that, perhaps, when we get to clause 5. If there is no satisfactory answer to the Labor Party's position—that is, as I understand it, that the amendment that I have now indicated the government is not proceeding with is an amendment that the Labor Party wanted to see proceed—if that is the case on confirmation, I will report progress and we will not proceed.

The only reason I have agreed to proceed with this was that I was advised that everyone agreed with everything in relation to these amendments and positions. If that is not an agreed position, if we can get to clause 5 and explore that issue with the Leader of the Opposition and the Labor Party and there is no satisfactory explanation of the position, I will report progress and we will have to adjourn it until next year. I am happy to proceed to clause 5, from the government's viewpoint.

Clause passed.

Clauses 2 to 4 passed.

Clause 5.

**The Hon. R.I. LUCAS:** Again, I accept that the Acting Leader of the Opposition has, I assume, been the person on behalf of the Labor Party involved in the discussions on the bill. Perhaps, on advice if she has any, she could indicate what the Labor Party's position was on it because my understanding was that the government was not going to proceed with amendment No. 1. We were going to proceed with amendment No. 2, and my advice was that that had been agreed.

If on confirmation the Labor Party is not in agreement with that then, as I said, I will report progress and we will not proceed any further. I am not sure whether any member—this has not been one that I have handled—can throw any light on the nature of any discussions that might have led to the government not proceeding with amendment No. 1. I am not sure whether the Acting Leader of the Opposition has any advice or whether the Hon. Mr Darley has any knowledge.

**The Hon. C.M. SCRIVEN:** My understanding was that the government was going to be proceeding with both amendments and that the opposition was going to be supporting both amendments. I am seeking advice as to whether there is any change on that, but there is none that I am aware of. Therefore, perhaps we can just have a couple of minutes to clarify that. If not, we would be supporting that we report progress.

**The ACTING CHAIR (Hon. D.G.E. Hood):** If it assists the committee, I am informed that the amendments are mutually exclusive, so it would not be appropriate to proceed with both.

**The Hon. R.I. LUCAS:** What I propose to do in a moment is I will seek to report progress. I will adjourn it on motion. We can then go through the niceties in terms of the adjournment debate, etc. If the issue is able to be resolved quickly and we go back to the committee and process the bill quickly, we can do that. If it is not able to be processed, we will then adjourn it off until next year. The

Acting Leader of the Opposition can be advised by her colleague who is handling the bill and I can be advised by the government as to why it is not proceeding with amendment No.1 as opposed to amendment No. 2. On that basis, I move that progress be reported.

Progress reported; committee to sit again.

*Parliamentary Committees*

**JOINT COMMITTEES**

**The Hon. R.I. LUCAS (Treasurer) (16:42):** I seek leave to move a motion without notice.

Leave granted.

**The Hon. R.I. LUCAS:** I move:

That the members of this council appointed to the joint committees on the 125<sup>th</sup> Anniversary of Women's Suffrage, End of Life Choices and the Social Workers Registration Bill have power to act on those joint committees during the recess.

Motion carried.

*Adjournment Debate*

**VALEDICTORIES**

**The Hon. R.I. LUCAS (Treasurer) (16:42):** Mr President, this is the motion where we say nice things about each other at the end of the session and nice things about you as well. In speaking to this particular motion, as I said, we are seeking whether we can get quick advice in relation to the Retail and Commercial Leases (Miscellaneous) Amendment Bill to see whether we can process that; if not, we will adjourn it off. All the other orders of the day, government business, will be adjourned until the next day of sitting, whenever that might be.

Mr President, in speaking to the traditional adjournment motion, can I on behalf of government members thank you for your presidency during this session. Whilst I speak on behalf of government members, others will speak on behalf of members in their group as well, but certainly from the government's viewpoint we thank you for your presidency, trying to keep us unruly lot in order, particularly during question time. It is sometimes a challenge, but we respect the way you have gone about it and respect the fact that you have undertaken the task with relish. From the government members' viewpoint, we thank you for that role.

Can I thank all the other honourable members in the chamber. During this session we have generally, with the exception of the last two weeks, endeavoured to keep family friendly hours, to use that particular phrase. We have always acknowledged that the last two weeks of the session can sometimes be un-family friendly, and we certainly saw that in the last week or so of the sittings in terms of the lateness of the hour. Nevertheless, we were well educated and illuminated into the early hours of the morning by some lengthy contributions on some important issues. The end of the session also becomes more fractious as opposed to the start of any session.

On behalf of government members in the chamber, we thank the Leader of the Opposition for his cooperation. We thank the Opposition Whip for the work that he and his staff have done with the Government Whip in terms of acceptable whipping practices in this chamber. If I can term it this way using a colloquial expression, the sins of another chamber have not always been visited upon us, and we have respected traditions and conventions in terms of sensible pairing arrangements in this particular chamber.

We have had some novel absences, which government members have respected, and we respect the fact that, on occasion, opposition members but also crossbench members have assisted major party members in terms of pairing arrangements, as indeed we have with them on occasion in terms of crossbench members not being available and major party members pairing with them when it was appropriate as well. That is one of the strengths of the chamber and long may it continue in terms of a sensible working relationship in the operation of the chamber.

I thank the crossbench members. We do not always agree on issues, as has been evidenced particularly in the last few weeks of the session. From the government's viewpoint, or from the

opposition's viewpoint or from the crossbenchers' viewpoint, you win some and you lose some but in essence that is the way politics in the chamber works.

Certainly from my viewpoint, I indicate that I do not bear grudges or take things personally. My long history in this chamber in politics indicates that you continue to talk and work with people. You accept the fact that you differ and perhaps differ strongly on some issues, but you should not let that prevent you from continuing to work together with colleagues where you can find common ground, and should not let the differences that you have had prevent you from seeking agreement on other issues on other occasions when the opportunity presents.

As the Leader of the Government speaking personally but on behalf of my colleagues, I give an indication that the differences we might share on a particular bill will not colour the government's or my attitude to trying to work with crossbench members on any range of other issues where we might be able to reach common ground in terms of those issues.

I thank in particular the crossbench members' staff. Working for a crossbench member can be an unforgiving task. The Hon. Ms Bonaros has worn both hats over the years so she better understands it perhaps than many of us. Being a staff member of a crossbench member is particularly challenging. It can be tiring, aggravating and annoying on occasion in terms of the hours that have to be kept and the short deadlines that are sometimes required. I thank those staff members for not only the work they do for the crossbench members but also in terms of trying to keep in touch with my office, as the Leader of the Government, and my staff members who try to work with the crossbench members.

I think we are getting better in terms of working together with other members of the chamber. The weekly planning session at 4.30pm on a Monday has been a very important development in terms of trying to work together. Certainly we are always open to suggestions. If my staff can work more effectively with opposition staff and crossbench members' staff in managing the program, we seek to be accommodating as much as we can, but sometimes from the government's viewpoint it is like herding cats.

We have a number of ministers, officers and staff, all with competing priorities. We do our very best to ensure or to insist that ministerial staff use their best endeavours to brief crossbench members on government bills and amendments, but we do not always meet the high standards we would like to set for ourselves for that. We might apologise, but we will strive to do better in the future. In that respect, I thank Luigi Mesisca in my office, and the other staff members who do a lot of hard work in terms of trying to liaise with other staff in other offices as well.

I want to thank the Government Whip, the Hon. Mr Stephens, and his hardworking staff. At short notice, he is asked to try to assist the smooth operations of the chamber. I thank him not only for his hard work but for his friendship as well and long may that continue. In my case, at least, it will continue for two more years, but in his case it will be many more years—that is not the friendship but working together.

*The Hon. I.K. Hunter interjecting:*

**The Hon. R.I. LUCAS:** Exactly. I thank the Clerk and all the table staff. Again, I apologise on behalf of the government for the long hours that you had to work. In the past, we have sometimes had a mid-evening break or something, but when we had some members going full bore we did not want to give them an opportunity to go off and have a rest and a break themselves, so my apologies to the staff because you had to work long hours into the early hours of the morning. That is not only the table staff but also the attendants and other staff. Some are getting grey hair and some are losing their hair through the long hours that they work assisting us. We always appreciate the work that Mario and his team do on our behalf. On behalf of the members, we thank you for all the hard work that you do.

Collectively, I thank all the other staff in Parliament House: the Hansard staff, the caretakers, PNSG and all the other staff who ensure the smooth operations of the parliament generally, but in particular the Legislative Council. Much of the work you do is unseen, but it is not unappreciated. On behalf of government members, I want to thank you.

In particular, given the late hours, we should thank the catering staff because for however long we stay here, they stay here for that long plus 30 minutes at the end of it, which must be especially tiring for them with those early hours of the morning sittings that we had. On behalf of government members, I again thank everyone who is involved in the operations of the parliament.

I wish all other members and staff the very best for the Christmas season, for the time that they might spend with their family, friends and others. We look forward to coming together again early next year when the parliament reconvenes early in February.

**The Hon. C.M. SCRIVEN (16:52):** I rise to support the motion of the Hon. Rob Lucas and concur with all the remarks that he made in the chamber, which is a rare thing.

**The Hon. I.K. Hunter:** First time.

**The Hon. C.M. SCRIVEN:** It is possibly the first time, the Hon. Mr Hunter says. It is certainly an unusual circumstance. I note that it is not often the case that we agree, but certainly today is that situation on this motion.

Firstly, I would like to start by thanking you, Mr President, for the fair and impartial way in which you have presided over us, stopping us when asking questions in question time that you thought were too much and occasionally bringing ministers back on track, some more than others, of course. I was trying to find the right words to describe your bearing in this chamber, Mr President, so I looked in the thesaurus for the word 'presidential'. It came up with:

Dignified, authoritative, judicious, diplomatic, powerful, awe-inspiring, self-assured, commanding and regal.

I think they are all worthy descriptions and I am sure the chamber would agree. All on this side of the chamber thank you for how you have conducted yourself and how you have allowed us to conduct ourselves in this chamber.

I would like to thank Mr Chris Schwarz, the Clerk, for providing frank and fearless advice to all members of this place who come and seek his counsel. Such attributes are not always as common as perhaps they once were and I trust that we value them as they should be valued.

To Mr Guy Dickson, the Usher of the Black Rod and Deputy Clerk, thank you for your service to this place throughout the year and the continued support you provide in the running of this chamber. I can certainly speak for all members on this side of the council when I say that we truly do appreciate it.

The same can be said for Leslie, Emma and Anthony, who again are vital in the day-to-day running of this place, and we are truly grateful for all your contributions. Thank you for the way in which you support the committee system, with all its peculiarities, and ensure it operates effectively. I think your patience and support for all members throughout the processes of this place are quite exceptional.

To Kate and Todd, for everything that you do to keep this place ticking along, thank you. There are so many tasks that take place out of sight of most that fall on your shoulders, and probably often go unappreciated. To Mario and his team, Karen and Charles, for making sure that we have everything we need in front of us at all times, thank you. I note that, in recent weeks in particular, the chamber has been sitting into the early hours of the morning. This, as the Hon. Rob Lucas mentioned, means that all staff are here until all hours. I am sure I speak for everyone in this place when I say that we truly do appreciate your efforts and, in the case of Mario and his staff, your good humour—very difficult, I am sure.

To all Hansard staff; you have an incredibly difficult job to do. I can only imagine how difficult it is to get everything down that everyone says, particularly the frequent interjections and responses. You all do a magnificent job and we thank you as well. To the catering staff who keep us all very well fed, thank you. Thank you, Creon, for all your support to this place throughout the year, thanks to all staff in the Blue Room, the dining room, the members' bar and everyone who assists with functions.

This place would not run without the support and assistance of so many people, including all the cleaning staff, building services staff, attendants and switchboard staff. We must also remember the Parliamentary Network Support Group. We certainly could not operate with you, too, so thank

you. Also, thank you to Dr John Weste and the library staff for the assistance you provide to all members of this place throughout the year.

To the Leader of the Government (Hon. Rob Lucas), who, I think it is fair to say, has had a bit of a hard year and might find that he is not on the Christmas card lists of some old mates, we wish you a very merry Christmas.

I would like to particularly thank members on this side of the council. I thank you all for the contributions you have made this year. I think you have made this parliament a much better place with your presence. I also acknowledge the whips on both sides, and also the staff of the crossbench. They undertake a high workload and do not have all of the opportunities to have different roles. They must take on many all at once, so I think that should be acknowledged.

I would like to thank the crossbench and, indeed, all members of this chamber. Contrary to how it sometimes appears, I think we probably agree far more often than we disagree. Of course, when we do disagree, we disagree quite passionately. Thank you to everyone for respecting everyone else's views and opinions. Thank you for the contributions you have made to this place, and for doing so in a good humoured, respectful and considered manner.

I think it is important to note that we have passed more legislation in this place than we have rejected. Over Christmas, I am looking forward to spending my time in the South-East, and I know all in this place will continue to work hard in our electorate, which of course covers 47 times the area and 47 times the number of voters than those in the other place.

**Honourable members:** Hear, hear!

**The Hon. C.M. SCRIVEN:** Hopefully I have not forgotten anyone, but if I have, please accept the opposition's very best wishes and appreciation. In conclusion, the opposition would like to wish all members and staff a happy Christmas season. Whatever it is that you do, we hope that you do it with your nearest and dearest. I hope that you can cherish this time and recharge your batteries.

Christmas is a wonderful time to get together and to enjoy the friendship of family and friends. I do hope that all members get to enjoy that over the Christmas and new year period, and that we come back in February to work together collectively and constructively for another year. I commend the motion to the council.

**The Hon. M.C. PARNELL (16:58):** This is that time of year when we associate ourselves unreservedly with the comments that have been made by others, and in particular the Treasurer and the Deputy Leader of the Opposition. In years gone by, I have stood up at this time of year and have unfortunately left a few people out; so, like Santa, I have made a list and I have checked it twice.

I will start by thanking you, Mr President, for your wise guidance. I was disappointed to lose you as a bench colleague, but my loss was the entire council's gain. We all share from your wisdom and guidance, so thank you. The Parliament Research Library staff have again provided us with excellent service. I try not to abuse the wonderful privilege we have by not asking too many frivolous questions, but the questions I do ask are always returned within the time frame and with useful information, much of which has ended up on *Hansard*.

And going to *Hansard*, thank you for your help. You make our contributions appear much more coherent than they were when we heard them in the flesh. I personally appreciate the quiet knock on the door and, 'Mr Parnell, did you really mean to say that Tasmania was bigger than New South Wales?' Often when we are comparing things, we get them around the wrong way; that is one of the most common errors that *Hansard* staff are called on to correct, so thank you. A lot of what is said in this place would not make sense if you just read it, so thank you for the corrections.

I would like to thank the Legislative Council staff, including Chris, our Clerk, and Guy, the Usher of the Black Rod. Leslie, Anthony, Emma, Mario, Todd, Karen, Charles and Kate, thank you for everything you do. A special acknowledgement to Mario this year, who was doing a parliamentary tour when some people decided that they were not going to budge from the House of Assembly chamber. They were going to do a sit-down protest. With his usual calm manner, he reminded them that they would miss seeing the Legislative Council and that it was not to be missed. Anyway, in the end I think security took over and Mario did his job in his calm, unflappable fashion, as always.

I would also like to thank those members who we rarely name: the staff of the other place. They assist, obviously, with some of the joint operations of this parliament. I would like to thank the committee staff, and the Legislative Council staff obviously serve on committees but there are some dedicated staff as well. The two that I spend most of my time with are Joanne Flear and Merry Brown, who look after the environment committee. I thank them for their diligence to their task.

The Parliamentary Network Support Group has been mentioned. They are efficient and they are competent, and that is not something that can be said for every IT support group. I appreciate them for not always asking me if I have tried turning it off and on again, although sometimes that is the answer. From having a spouse who once worked in the Senate and who tore her hair out on a regular basis, I know about the inadequacy of network support services offered in the federal parliament.

The catering staff have been mentioned. We do not see the cooks that often, but we enjoy their work and I thank them, as well as those who are involved in catering for events and committee hearings, who look after the dining rooms, the members' room and the Blue Room. I will particularly give a shout out to Karen and JP in the Blue Room, who gently steer me away from the less healthy options at lunchtime. It is not unusual for me to enter the Blue Room looking to buy a muffin and exiting with an apple. I thank them for helping me to look after my health at afternoon tea time.

The building attendants, Craig and his crew, do an excellent job. They fix things at short notice when they need fixing, so thank you to them. The security staff do not often get a mention, but I would like to thank them for the professional but very friendly service that they provide, keeping us safe. They are rarely called on to respond to incidents. I mentioned one earlier that was all very peaceful and another one I recall when, Mr President, you suggested that some members of the gallery might want to leave. I have it on good authority that one of the security staff—I do not know which one—managed to mount the marble staircase six steps at a time, and that is probably a record, I would have thought. They were up there very quickly, so I thank them for their service.

Of course, I also thank all my other colleagues, the other members of the Legislative Council and your staff. It has been, as always, a pleasure working with you. Sometimes the pleasure is greater than others, but at the end of the day, as I say to people who are often more tribal in their politics than we are: it is actually quite a respectful place and if people did not get along the work would not get done, so thank you to you all for what you have done.

I would particularly like to thank my colleague the Hon. Tammy Franks. We are a smallish team—a party of two in a parliament of 69—but we work together well. I continue to enjoy that relationship, which is professional and constructive, and we advance what we call the Green agenda in this parliament.

Finally, I would like to thank my staff: Cate Mussared, my chief of staff; Emily Bird, my office manager; and Ebony, our trainee. In my office, they have maintained the highest standard of research and constituent engagement and there is not much that gets past them. In regard to KPIs for responding to correspondence, whilst they might slip a little bit towards the end of the year, they are always on the ball. All of us would be familiar with the situation at a social event where someone comes up and says, 'I wrote to you,' and my question is often, 'Did you get a reply?' and the answer is nearly always, 'Yes, and it was a considered reply.' I thank my staff for managing that and for helping with the considerable legislative workload.

With those brief words, I, too, look forward to next year. By all accounts, the government will be taking the whiteboard eraser to the *Notice Paper* and starting again. I think the fresh start will be good for us. It will be good to have a rest over the summer break and come back reinvigorated to do what we are all here to do; that is, to serve the people of this state.

**The Hon. C. BONAROS (17:04):** Mr President, I start by thanking you genuinely for your role in this place, for keeping us all in line. I forgive you for your reprimands levelled at me, particularly in recent weeks. I have to say that I do not envy your role, but I think we can all agree that you have carried it out in a statesmanlike manner, so thank you.

Flamboyant (tending to attract attention because of their exuberance, confidence and stylishness) and effervescent (vivacious and enthusiastic): such adjectives sum up to a T our legal

adviser and my dear, loving friend Pat. She is talented beyond belief and emotional beyond belief, and what you see is what you get with Pat. What we see we love and are going to miss dearly when she leaves us at the end of the week to continue her journey, again, in federal politics.

Pat has been lured by the apparent bright lights of Canberra, at my expense. She is doing so for much more money and much less work—and much less me, I should say. She assures me that our relationship will only grow stronger as a result, and I will reflect on that as I cry into my champagne on Friday evening. Can I say to our Clerk, for one, that I am sure this may be a momentous moment for you, as your inbox suddenly becomes somewhat lighter as a result.

Adrienne, the ying to Pat's yang, is our super smart, super quick, super efficient, super woman legislative adviser. She has only been with us for 12 months but is already an invaluable member of our staff. We are extremely grateful for the contribution she makes to our office. To Damon, who has only just started with our office, good luck. To Taryn, our new office manager, welcome. It is only day two but, boy, is she already setting some new benchmarks for us. Again, all I can wish her is good luck.

To Tina, my wonderful, loving, loyal sister, of all things, and personal PA—not paid for by the public purse, I should add—there is nothing I throw at her that she cannot do. She makes my life in this place as a wife, a mother, a member, a boss and everything else in between so much easier. She is the only member of our staff I can bark at (and I bark a lot), but that is only because she is my sister. I am extremely grateful to her.

To Sean, who loves when I am having a bad day because apparently I am a lot more effective in my duties—that is certainly one way of looking at it. I know he is not trained as a psychologist or as a counsellor, even though that features predominantly in his role when it comes to dealing with my chaotic and frenetic ways. I know that Sean did not sign up for the extracurricular responsibilities that come with working with me but, seriously, I do not know if I would actually be able to do this job without him by my side, so thank you a million times.

Of course, there are lots of other people in this place I would like to take a moment to thank, but I will start with my esteemed colleague the Hon. Frank Pangallo. Thank you, yet again, for your ongoing support and commitment to the cause that is SA-Best. Yes, we have had our fair share of disagreements and robust discussions—and they are very robust—but it is always because we care about our state, our constituents and the people of South Australia. Since being elected to this place, he has shown how passionate, determined and committed he is and how much he cares for this great state. He shows no signs of abating, and I am sure everyone can agree with that.

I would also like to join in the thanks that have been extended to our Clerk, to our Black Rod, to Anthony and to the wonder women in the team, Leslie, Emma and Kate. I want to say one last thing about Pat in relation to the role that the Clerk's office undertakes. I mentioned before that I am not sure what the Clerk will do with all the hours that he finds in his day now that Pat is leaving, but she has assured me that her legacy will be maintained in that respect. In fact, I can say to all honourable members: when you finally have access to a downloadable version of the parliamentary calendar that feeds straight into your diary, you will have Pat and her dogged persistence to thank for that.

To our messengers—Todd; I think the Hon. Kyam Maher referred to him as 'super Mario' last year; Karen; and Charles—who make it possible for us to keep our heads above water in this place and also assist us in sneaking the odd couch into our office from time to time upon request, thank you does not even come close, I do not think, for everything that you do for us.

To our building attendants, but especially my mate Craig, who helps me with all manner of things well outside the scope of his job description—there is a theme happening here—you are a legend. To PNSG, I am slowly remembering my password; thank you for all the resets. To all our security personnel, especially James and Anna, thanks for letting me into the building each and every day before I even contemplate rummaging through my handbag for my pass, and especially for the little chats that we have each morning and each evening.

Now to a very important issue: our catering team, especially the one and only Nicky and Karen, Anthony, Basil and Sharon, who know just how I like my coffee. I ask them please not to



share my secret recipe, which only they know. No words, I think, can describe JP's generosity, as is highlighted by his efforts to help our sax-playing friend who frequents Parliament House.

To Ben, who knows better than anyone how to keep me sane (with a visit to the cellar), thank you, and to Kylie—I still have a job, thank you—and to all the other members of the catering team, whom I cannot name right now. I think it is important that we acknowledge what an amazing team they all are. They feed us, but they provide so much more than just a meal when we need it.

Can I say, specifically in relation to Nicky and Karen, I wanted dearly to outdo Premier Marshall's message of thanks in another place, but I have to admit he set the bar pretty high this year. There are many things I could say that would most certainly be deemed unparliamentary, and I will not do that. When I laugh inappropriately in this chamber, I can assure you all it is because of Nicky and Karen. When I receive inappropriate messages on my phone, I, like the Premier, can assure you that it is almost always from Nicky, and when I gesture to the cameras discreetly—I think Paul from the tech team knows just what I am talking about—it is always in response to those messages. There is no question that the only two people who truly know what goes on in these corridors are Nicky and Karen, and they keep their secrets very well guarded.

Nicky, in particular, let me finish with this: thank you sincerely for the contraband unauthorised salad bowls. I am not sure whether anyone else has had access to those salad bowls, but they are a mean salad. Creon and James, I ask you to take note that we all love a special Nicky salad bowl. It is certainly my office's go-to lunch and dinner. You are all amazing, and you make working here so much easier, especially during late nights and very difficult debates.

To the Hansard team, sorry for last week, again. I do not know how on earth you decipher the red squiggles on the pages that I give you with such accuracy, but I am grateful. Thank you also to the wonderful library team led by John Weste. I am just sorry that we have recently lost Peta, who has finished in her role in the library. We are already feeling her absence and miss her dearly. Of course, I thank our committee secretariats. I have said it before, and I will say it again: our offices do run on the smell of an oily rag. Our staff are seriously overworked and, in my view, underpaid. All the support our library team and committee secretariats provide to them and to me is greatly appreciated.

On that note and in the spirit of Christmas, Treasurer, this might be an opportune time to try to negotiate with you over some additional staff resources to lighten that load, especially in light of your acknowledgement a few moments ago of their hard work. Lastly, parliamentary counsel, led by Amy Travis, I am sorry for the mountain of work we load you with at ridiculously short notice but with exceptionally high expectations. I think we are all indebted to you for your hard work, your ridiculously quick turnarounds and your sound advice.

Mr President, I reckon that covers it. These individuals are the people who make an otherwise difficult day a manageable one. One thing is for sure: none of us would be in a position to carry out our work effectively and productively without them, but of course especially without Nicky. To all my colleagues in this place, I agree, sometimes we do not agree on every issue. We often wear our hearts on our sleeves. We get emotional, we get fiery, but I think we are all here for the same reason. I for one thoroughly enjoy it when we work together and get results that benefit our state. With those words, I wish everyone a merry Christmas, happy holidays, happy festus, happy whatever it is you believe in and, above all, stay safe.

**The Hon. J.A. DARLEY (17:16):** Can I start by indicating my support for the motion of the Leader of the Government, seconded by the Acting Leader of the Opposition. Can I also endorse the sentiments and comments and the thanks expressed by the Leader of the Government, the Acting Leader of the Opposition, the leader of the Greens and the leader of SA-Best. Finally, I would like to express my thanks to my staff Jenny, Dejana and Anthony. I wish everyone who works in this place a very happy Christmas and I look forward to resuming in February next year for more of the same.

**The PRESIDENT (17:17):** I would like to thank all the members for their support and forbearance, in particular the whip officers and their staff. I thank the Clerk and the Usher of the Black Rod and all our Legislative Council staff as well as the broader parliamentary staff. I wish you all a safe and happy Christmas.

*Bills***RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL***Committee Stage*

In committee (resumed on motion).

Clause 5.

**The Hon. R.I. LUCAS:** I move:

Amendment No 1 [Treasurer–2]—

Page 5, lines 36 to 38 [clause 5, inserted section 4(3)(b)(i)]—Delete 'that is lodged for registration by the lessor within 3 months after both parties have executed the renewal' and substitute:

that is, following execution by both parties, lodged for registration by the lessor not later than 2 months after the day on which the lease would, but for the renewal, expire

I understand there is agreement now. I am moving amendment No. 1 [Treasurer–2]. I am not proceeding with amendment No. 1 [Treasurer–1]. In speaking to that, can I indicate that after the bill had passed in the lower house, the Deputy Registrar-General brought to the attention of the Small Business Commissioner the fact that the time frame for renewal or extension of a lease by registration under section 153(2) of the Real Property Act 1986 is two months, while the time frame under proposed section 4(3)(b) in the bill was three months.

The deputy registrar was also concerned that problems may arise because the two respective time frames are initiated by two different events. In order to address the concerns of the Registrar-General, parliamentary counsel drafted a further amendment to proposed section 4(3)(b) in the bill, which is this one, and that resolves the issue. I urge members to support the amendment.

Amendment carried; clause as amended passed.

Remaining clauses (6 to 31) and title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. R.I. LUCAS (Treasurer) (17:20):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**FIRE AND EMERGENCY SERVICES (MISCELLANEOUS) AMENDMENT BILL***Second Reading*

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (17:21):** I move:

That this bill be now read a second time.

I seek leave to have the second reading and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

The purpose of the Fire and Emergency Services (Miscellaneous) Amendment Bill 2018 is to amend the *Fire and Emergency Services Act 2005* to incorporate recommended legislative changes arising from recommendations from the 2013 review of the Act, and a number of internal reviews undertaken by the Emergency Services Sector since.

The *Fire and Emergency Services Act 2005*, creating the South Australian Fire and Emergency Services Commission and incorporating the previous Acts governing the Metropolitan Fire Service, the Country Fire Service and the State Emergency Service, was passed in Parliament and assented to in October 2005.

Following the tabling of the Bill in November 2018, it was resolved to form a select committee to consider the proposed amendments in relation to powers for the cessation of harvesting. This House thanks the Select Committee for the diligent work on seeking feedback from a wide range of stakeholders and is pleased to advise today that the recommendations of the Select Committee have been accepted and these recommendations have been amended into this draft Bill.

This Bill seeks to amend the *Fire and Emergency Services Act 2005* to incorporate long overdue legislative changes.

The Bill proposes the following changes:

- Protection of CFS and SES volunteers who are absent from work, on official duties as a member of an emergency service organisation when responding to an emergency;
- Breaches of permit conditions imposed by authorised officers;
- Various technical issues raised by the emergency services organisations relating to apparent anomalies or ambiguities within the Act.

Providing power to direct the cessation of hazardous practices that due to weather conditions may cause a fire if ignited to get out of control and based upon the recommendations of the Select Committee, these powers will be conferred upon SAPOL.

The feedback through consultation will ensure the best possible legislation is provided to protect the communities of South Australia.

This Bill will regulate the introduction of industry brigades to assist in protecting our communities particularly in the State's South East where our forest industries are an important part of our economy. The Bill recognises, where appropriate the significance of harmonisation with Victoria who have been operating under similar legislation for a number of years.

This bushfire season has reminded us all of the bushfire threat. With this in mind, the government is keen to ensure that complete and effective powers are available to ensure the risk of bushfire is minimised. This Bill will bring into legislation many of the recommendations of the 2013 Holloway Review. It acknowledges the important contribution of our fire and emergency services make to the protection of our communities and these amendments will strengthen certain powers and clarify functions to make South Australia an even safer community.

Further input and review will be sought to better streamline and coordinate our fire and emergency services, however for the moment we need to be able to assure the community that we are presenting the best possible legislation to protect our community from the threat of bushfire.

The key objectives of this Bill are to improve the ability of the emergency services to deliver key public safety outcomes, at minimal cost to the Government and community and to demonstrate the Government's commitment and appreciation of emergency services volunteers to the safety of our community.

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of Fire and Emergency Services Act 2005

###### 4—Amendment of section 3—Interpretation

Definitions and interpretative provisions are inserted for the purposes of the measure.

###### 5—Amendment of section 26—Functions and powers

This clause expands the list of examples in section 26(3) to include the recording, possession or use of moving or still images for the purposes of SAMFS operations and activities.

###### 6—Amendment of section 37—Rectification where safeguards inadequate

This clause amends section 37 to provide for references to the new *Planning, Development and Infrastructure Act 2016*.

###### 7—Amendment of section 38—Closure orders etc

This clause clarifies powers in relation to closure of buildings by allowing orders to be issued requiring persons to leave a building and the securing of the building against further entry. In addition, all orders under the section will have an initial maximum period of 2 full business days after the day on which the order was issued (instead of 48 hours from the time of issue of the order). The provision also clarifies that the power to rescind an order under subsection (7) does not apply to an order of the Court.

## 8—Amendment of section 42—Powers

This clause will allow an officer of SAMFS to engage a contractor to carry out demolition or other work at the scene of a fire or emergency whether or not the officer is present at the scene of the fire or other emergency.

## 9—Amendment of section 59—Functions and powers

This clause expands the list of examples in section 59(3) to include the recording, possession or use of moving or still images for the purposes of SACFS operations and activities.

## 10—Amendment of section 68—Establishment of SACFS

The amendment to section 68 enables an industry brigade to form part of an SACFS group.

## 11—Insertion of Part 4 Division 5A

Division 5A is inserted:

## Division 5A—Industry Brigades

## 69A—Preliminary

Definitions are inserted for the purposes of the Division, including definitions of a *prescribed person* and a *responsible person*.

## 69B—Designated areas for industry brigades

The Chief Officer may designate an area of land (being land not within a fire district) as an area where the Chief Officer considers an industry brigade should be established.

## 69C—Establishment of industry brigades

The Chief Officer may give a prescribed person a written notice relating to a designated area requiring the prescribed person to establish an industry brigade, have it registered and take other steps related to establishing and maintaining an industry brigade.

An appeal against the notice is provided for.

The costs incurred in complying with the notice will be borne by the responsible person (defined as the prescribed person or a person designated as the responsible person for the purposes of the definition of *responsible person*).

## 69D—Registration of industry brigades

Provision is made in relation to the registration of industry brigades.

## 69E—Chief Officer may give directions

The Chief Officer may give directions to the responsible person for an industry brigade relating to a range of matters (set out in the provision), which generally relate to the maintenance and operation of the industry brigade.

## 69F—Exclusion of certain claims

Compensation is not payable by the Crown or SACFS in relation to the Division.

## 12—Amendment of section 70—Command structure

This clause is a related amendment to provide that only SACFS brigades may take part in elections of group officers.

This clause provides for the making of regulations to make provision with respect to the eligibility of employees of SACFS to be elected to an office.

## 13—Insertion of Part 4 Division 6A

New Division 6A will provide the SACFS with equivalent powers to those of the SAMFS under Part 3 Division 5 of the Act.

## 14—Amendment of section 71—State Bushfire Coordination Committee

This clause makes changes to the requirements for membership of the State Bushfire Coordination Committee.

## 15—Amendment of section 80—Total fire ban

This clause allows information about total fire bans to be disseminated by means other than just radio broadcast.

16—Amendment of section 81—Permit to light and maintain a fire

Section 81 is proposed to be amended to require each council that is a rural council or that includes a designated urban bushfire risk area to appoint at least 1 authorised officer to issue permits under the provision (unless exempted by the Chief Officer of SACFS).

17—Amendment of section 82—Power to direct

This clause clarifies the powers of direction under section 82. The existing power to direct someone to refrain from lighting a fire where weather conditions mean a fire may get out of control is extended to apply to a fire that is being maintained and is amended to make it clear that it applies even if the fire is being lit or maintained pursuant to a permit.

18—Amendment of section 94—Failure by a council to exercise statutory powers

This clause replaces a reference to the South Australian Bushfire Prevention Advisory Committee with a reference to the State Bushfire Coordination Committee.

19—Amendment of section 97—Powers

This clause is a related amendment that deletes certain provisions relating to the person in charge of a fire on a forest reserve.

20—Insertion of section 105IA

A new power is added to allow a police officer to direct a person to refrain from carrying on an activity (being an activity of a prescribed kind or any other activity that the officer is satisfied may cause a fire) during a specified period if because of weather conditions a fire caused by the activity might get out of control.

21—Amendment of section 108—Functions and powers

This clause expands the list of examples in section 108(3) to include the recording, possession or use of moving or still images for the purposes of SASES operations and activities.

22—Amendment of section 116—SASES units

This clause amends section 116 of the principal Act to delete the requirement for a SASES unit to have a constitution and to make consequential amendments to delete all references to the constitution of a SASES unit.

23—Insertion of Part 5 Division 4A

This clause inserts a new Division dealing with the command structure of SASES. The provision largely mirrors various provisions in the current section 70 relating to the command structure of the SACFS.

24—Amendment of section 118—Powers

This clause will allow an officer of SASES to engage a contractor to carry out demolition or other work at the scene of an emergency, whether or not the officer is present at the scene of the emergency (which is equivalent to section 42(5) for the SAMFS).

25—Insertion of section 127A

Proposed section 127A provides that a person who is absent from employment on official duties as a member of an emergency services organisation, in connection with a fire or other emergency is not liable to be dismissed or prejudiced in employment by reason of that absence.

26—Amendment of section 142—Payment of costs and expenses for certain vessels and property

This clause amends section 142 to extend the capacity to recover costs and expenses to the SASES.

27—Amendment of section 143—Fees

This clause allows the regulations to prescribe late payment fees.

28—Amendment of Schedule 5—Regulations

This clause is consequential to clause 11.

Schedule 1—Transitional provisions

This Schedule contains transitional provisions.

Debate adjourned on motion of Hon. I.K. Hunter.

**The Hon. R.I. LUCAS:** Mr President, I draw your attention to the state of the council.

*A quorum having been formed:*

**STANDING ORDERS SUSPENSION***Standing Orders Suspension*

**The Hon. R.I. LUCAS (Treasurer) (17:23):** I move:

That standing orders be so far suspended as to enable the Clerk to deliver the message relating to the Statutes Amendment (South Eastern Freeway Offences) Bill, together with the messages relating to the following bills: the Statutes Amendment (Gambling Regulation) Bill, the Land Acquisition (Miscellaneous) Amendment Bill, the Supreme Court (Court of Appeal) Amendment Bill, the Crown Land Management (Section 78B Leases) Amendment Bill, the Statutes Amendment (Legalisation of Same Sex Marriage Consequential Amendments) Bill, the Married Persons (Separate Legal Status) Bill, the Legal Practitioners (Foreign Lawyers and Other Matters) Amendment Bill and the Retail and Commercial (Miscellaneous) Amendment Bill to the Speaker of the House of Assembly and to enable the President to receive any messages from the House of Assembly informing the council that it has agreed, without amendment, to council bills or to amendments made by the council to assembly bills, whilst the council is not sitting and notwithstanding the fact that the House of Assembly is not sitting.

Motion carried.

At 17:24 the council adjourned until Wednesday 5 February 2020 at 14:15.

*Answers to Questions***TOMICH WINES**

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (17 October 2019).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** I have never promoted the Tomich brand overseas as minister or been accompanied by Tomich Wines on a trade mission.

I understand Tomich Wines was one of 34 South Australian companies and one of 27 wineries that registered to attend the 2019 China International Import Expo (CIIE).

All companies were required to register as part of an expression of interest process.

On my most recent visit to China, part of my program included briefly attending CIIE to support all attending South Australian businesses.

As minister, I am proud to promote all of South Australia as an attractive investment destination and reliable trade partner.